Accordingly (at 1 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1336

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KILDEE) at 1 o'clock and 36 minutes p.m.

WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021

Mr. SMITH of Washington. Mr. Speaker, pursuant to House Resolution 1053, I call up the bill (H.R. 6395) to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, in lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–57, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6395

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

SECTION 1. SHORT TITLE.

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

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

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

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

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

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

Subtitle C—Air Force Programs

Sec. 121. Modification of force structure objectives for B–1 bomber aircraft.
Sec. 122. Extension of limitation on availability of funds for retirement of RC–135 aircraft.
Sec. 123. Modification of limitation on availability of funds for retirement of E–8 JSTARS aircraft.
Sec. 124. Limitation on availability of funds for the Advanced Battle Management System pending certification relating to RQ–4 aircraft.
Sec. 125. Inventory requirements for certain air refueling tanker aircraft.
Sec. 126. Limitation on production of KC–46A aircraft.
Sec. 127. Assessment and certification relating to OC–135 aircraft.
Sec. 128. Modernization plan for airborne intelligence, surveillance, and reconnaissance.
Sec. 129. Minimum bomber aircraft force level.

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

Sec. 131. Documentation relating to the F–35 aircraft program.
Sec. 132. Notification on software regression testing for F–35 aircraft.
Sec. 133. Notification on efforts to replace inoperable ejection seat aircraft locator beacons.
Sec. 134. Limitation on use of funds for the Armed Overwatch Program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.
Sec. 212. Enhanced participation of Department of Defense contractors in science, technology, engineering, and mathematics activities.
Sec. 213. Modification of requirements relating to certain cooperative research and development agreements.
Sec. 214. Pilot program on talent optimization.
Sec. 215. Codification of the National Security Innovation Network.
Sec. 216. Modification of pilot program on enhanced civics education.
Sec. 217. Modification of joint artificial intelligence research, development, and transition activities.
Sec. 218. Modification of national security innovation activities and manufacturing pilot program.
Sec. 219. Extension of pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.
Sec. 220. Digital data management and analytics capability.
Sec. 221. Social science, management science, and information science research activities.
Sec. 222. Measuring and incentivizing programming proficiency.
Sec. 223. Information technology modernization and security efforts.
Sec. 224. Board of Directors for the Joint Artificial Intelligence Center.
Sec. 225. Directed Energy Working Group.
Sec. 226. Program Executive Officer for Autonomy.
Sec. 227. Accountability measures relating to the Advanced Battle Management System.
Sec. 228. Measures to address foreign talent programs.
Sec. 229. Disclosure of foreign funding sources in applications for Federal research awards.
Sec. 230. Limitations relating to large unmanned surface vessels and associated offensive weapon systems.
Sec. 231. Limitation on availability of funds pending review and report on next generation air dominance capabilities.

Subtitle C—Emerging Technology and Artificial Intelligence Matters

Sec. 241. Steering committee on emerging technology.
Sec. 242. Training for human resources personnel in artificial intelligence and related topics.
Sec. 243. Unclassified workspaces for personnel with pending security clearances.
Sec. 244. Pilot program on the use of electronic portfolios to evaluate applicants for certain technical positions.
Sec. 245. Self-directed training in artificial intelligence.
Sec. 246. Part-time and term employment of university professors and students in the Defense science and technology enterprise.
Sec. 247. Microelectronics and national security.
Sec. 248. Acquisition of ethically and responsibly developed artificial intelligence technology.
Sec. 249. Enhancement of public-private talent exchange programs in the Department of Defense.

Subtitle D—Sustainable Chemistry Research and Development

Sec. 251. Short title.
Sec. 252. Findings.
Sec. 253. National coordinating entity for sustainable chemistry.
Sec. 254. Strategic plan for sustainable chemistry.
Sec. 255. Agency activities in support of sustainable chemistry.
Sec. 256. Partnerships in sustainable chemistry.
Sec. 257. Prioritization.
Sec. 258. Rule of construction.
Sec. 259. Major multi-user research facility project.

Subtitle E—Plans, Reports, and Other Matters

Sec. 261. Modification to annual report of the Director of Operational Test and Evaluation.
Sec. 262. Repeal of quarterly updates on the Optionally Manned Fighting Vehicle program.
Sec. 263. Independent evaluation of personal protective and diagnostic testing equipment.
Sec. 264. Reports on F–35 physiological episodes and mitigation efforts.
Sec. 265. Study on mechanisms for attracting and retaining high quality talent in the national security innovation base.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions.
Sec. 312. Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions.
Sec. 313. Agreements to limit encroachments and other constraints on military training, testing, and operations.
Sec. 314. Modification of Department of Defense environmental restoration authorities to include Federal Government facilities used by National Guard.
Sec. 315. Increased transparency through reporting on usage and spills of aqueous film-forming foam at military installations.

Sec. 316. Replacement of non-tactical motor vehicles at the end of service life with electric or hybrid motor vehicles.
Sec. 317. Budgeting of Department of Defense relating to operational energy improvement.
Sec. 318. Assessment of Department of Defense operational energy usage.
Sec. 319. Improvement of the operational energy capability improvement fund of the Department of Defense.
Sec. 320. Five-year reviews of containment technologies relating to Red Hill Bulk Fuel Storage Facility.
Sec. 321. Limitation on use of funds for acquisition of furnished energy for Rhine Ordnance Barracks Army Medical Center.
Sec. 322. Requirement to update Department of Defense climate change roadmap.
Sec. 323. Comptroller General report on Department of Defense installation energy.
Sec. 324. Department of Defense report on emissions levels.
Sec. 325. Objectives, performance standards, and criteria for use of wildlife conservation banking programs.
Sec. 326. Offshore wind energy development, Morro Bay, California.
Sec. 327. Long-duration demonstration initiative and joint program.
Sec. 328. Prizes for development of non-PFAS-containing fire-fighting agent.
Sec. 329. Survey of technologies for Department of Defense application in phasing out the use of fluorinated aqueous film-forming foam.
Sec. 330. Interagency body on research related to per- and polyfluoroalkyl substances.
Sec. 331. Restriction on procurement by defense logistics agency of certain items containing perfluoroalkyl substances and polyfluoroalkyl substances.
Sec. 332. Standards for removal or remedial actions with respect to PFOS or PFOA contamination.
Sec. 333. Research and development of alternative to aqueous film-forming foam.
Sec. 334. Notification to agricultural operations located in areas exposed to Department of Defense PFAS use.
Sec. 335. Public disclosure of results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances.

Subtitle C—Logistics and Sustainment

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

Subtitle D—Munitions Safety and Oversight

Sec. 361. Chair of Department of Defense explosive safety board.
Sec. 362. Explosive Ordnance Disposal Defense Program.
Sec. 363. Assessment of resilience of Department of Defense munitions enterprise.
Sec. 364. Report on safety waivers and mishaps in Department of Defense munitions enterprise.

Subtitle E—Other Matters

Sec. 371. Pilot program for temporary issuance of maternity-related uniform items.
Sec. 372. Servicewomen's Commemorative Partnerships.
Sec. 373. Biodefense analysis and budget submission.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels.
Sec. 403. Modification of the authorized number and accounting method for senior enlisted personnel.

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.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Authorized strength: exclusion of certain general and flag officers of the reserve components on active duty.
Sec. 502. Diversity in selection boards.
Sec. 503. Redaction of personally identifiable information from records furnished to a promotion board.

Subtitle B—Reserve Component Management

Sec. 511. Grants to support STEM education in the Junior Reserve Officers' Training Corps.
Sec. 512. Modification of education loan repayment program for members of Selected Reserve.
Sec. 513. Requirement of consent of the chief executive officer for certain full-time National Guard duty performed in a State, Territory, or the District of Columbia.
Sec. 514. Constructive credit for certain members of the reserve components who cannot complete minimum annual training requirements as a result of the COVID–19 pandemic.
Sec. 515. Guidance for use of unmanned aircraft systems by the National Guard.
Sec. 516. Direct employment pilot program for certain members of the reserve components.
Sec. 517. Temporary limitation on authority to transfer, relocate, or dissolve elements of the reserve components of the Air Force.
Sec. 518. Pilot programs in connection with SROTC units and CSPI programs at Historically Black Colleges and Universities and minority institutions.

Subtitle C—General Service Authorities and Correction of Military Records

Sec. 521. Temporary authority to order retired members to active duty in high-demand, low-density assignments during war or national emergency.
Sec. 522. Reenlistment waivers for persons separated from the Armed Forces who commit one misdemeanor cannabis offense.
Sec. 523. Review of Seaman to Admiral-21 program; credit towards retirement.

Subtitle D—Military Justice and Other Legal Matters

Sec. 531. Punitive article on violent extremism.
Sec. 532. Preservation of Court-martial records.
Sec. 533. Electronic notarization for members of the Armed Forces.
Sec. 534. Clarifications regarding scope of employment and reemployment rights of members of the uniformed services.
Sec. 535. Absentee ballot tracking program.
Sec. 536. Tracking mechanism and reporting requirements for supremacist, extremist, and criminal gang activity in the Armed Forces.
Sec. 537. Military-civilian task force on domestic violence and related information collection activities.
Sec. 538. Actions to address military-connected child abuse.
Sec. 539. Multidisciplinary board to evaluate suicide events.

Subtitle E—Sexual Assault

Sec. 541. Protection of attorney-client privilege between victims and Special Victims' Counsel.
Sec. 542. Authority of military judges and military magistrates to issue military court protective orders.
Sec. 543. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.
Sec. 544. Modification of reporting and data collection on victims of sexual offenses.
Sec. 545. Modification of annual report regarding sexual assaults involving members of the Armed Forces.
Sec. 546. Coordination of support for survivors of sexual trauma.
Sec. 547. Policy on separation of victim and accused at military service academies.
Sec. 548. Safe-to-report policy applicable across the Armed Forces.
Sec. 549. Question in workplace and gender relations surveys regarding prosecutions of sexual assault.
Sec. 549A. Pilot program on prosecution of special victim offenses committed by attendees of military service academies.
Sec. 549B. Report on status of investigations of alleged sex-related offenses.

Subtitle F—Member Education, Training, and Transition

Sec. 551. Counseling in the Transition Assistance Program regarding sexual assault, sexual or gender harassment, and intimate partner violence.
Sec. 552. Establishment of mentoring and career counseling program.
Sec. 553. Defense Language Institute Foreign Language Center.
Sec. 554. Defense Language Institute Foreign Language Center.
Sec. 555. Increase in number of permanent professors at the United States Air Force Academy.
Sec. 556. Information on nominations and applications for military service academies.
Sec. 557. Transformation of the professional military education enterprise.
Sec. 558. College of International Security Affairs of the National Defense University.
Sec. 559. Public-private consortium to improve professional military education.

Subtitle G—Military Family Readiness and Dependents' Education

Sec. 561. Family readiness: definitions; communication strategy; report.
Sec. 562. Support services for members of special operations forces and immediate family members.

Sec. 563. Authority to provide financial assistance to certain in-home child care providers for members of the Armed Forces and survivors of members who die in combat in the line of duty.
Sec. 564. Expansion of financial assistance under My Career Advancement Account program.
Sec. 565. Child care.
Sec. 566. Continuation of paid parental leave upon death of child.
Sec. 567. Study and report on the performance of the Department of Defense Education Activity.
Sec. 568. Comptroller General of the United States report on the structural condition of Department of Defense Education Activity schools.
Sec. 569. Pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.
Sec. 569A. Continued assistance to schools with significant numbers of military dependent students.
Sec. 569B. Standardization of the Exceptional Family Member Program.

Subtitle H—Diversity and Inclusion

Sec. 571. Diversity and inclusion reporting requirements.
Sec. 572. Establishment of Diversity and Inclusion Advisory Council of the Department of Defense.
Sec. 573. Establishment of Special Inspector General for Racial and Ethnic Disparities in the Armed Forces; amendments to Inspector General Act.
Sec. 574. Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense.
Sec. 575. Report on demographics of officers appointed to certain grades.
Sec. 576. Plans to increase female and minority representation in the Armed Forces.
Sec. 577. Evaluation of barriers to minority participation in certain units of the Armed Forces.

Subtitle I—Decorations and Awards

Sec. 581. Establishment of the Atomic Veterans Service Medal.
Sec. 582. Authorization for award of the distinguished-service cross for Ramiro F. Olivo for acts of valor during the Vietnam War.

Subtitle J—Miscellaneous Reports and Other Matters

Sec. 591. Expansion of Department of Defense STARBASE Program.
Sec. 592. Inclusion of certain outlying areas in the Department of Defense STARBASE Program.
Sec. 593. Prohibition on charging for or counting certain acronyms on headstones of individuals interred at Arlington National Cemetery.
Sec. 594. Report on placement of members of the Armed Forces in academic status who are victims of sexual assault onto Non-Rated Periods.
Sec. 595. Sense of Congress regarding advertising recruiting efforts.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay.
Sec. 602. Basic needs allowance for low-income regular members.
Sec. 603. Reorganization of certain allowances other than travel and transportation allowances.

Subtitle B—Bonuses and Special Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.
Sec. 612. Increase in certain hazardous duty incentive pay for members of the uniformed services.
Sec. 613. Standardization of payment of hazardous duty incentive pay for members of the uniformed services.
Sec. 614. Clarification of 30 days of continuous duty on board a ship required for family separation allowance for members of the uniformed services.
Sec. 615. Expansion of reimbursable State licensure and certification costs for a military spouse arising from relocation.

Subtitle C—Family and Survivor Benefits

Sec. 621. Expansion of authority to provide financial assistance to civilian providers of child care services or youth program services for survivors of members of the Armed Forces who die in the line of duty.
Sec. 622. Expansion of death gratuity for ROTC graduates.
Sec. 623. Recalculation of financial assistance for providers of child care services and youth program services for dependents.
Sec. 624. Priority for certain military family housing to a member of the Armed Forces whose spouse agrees to provide family home day care services.
Sec. 625. Study on feasibility of TSP contributions by military spouses.

Subtitle D—Defense Resale Matters

Sec. 631 . Base responders essential needs and dining access.
Sec. 632. First responder access to mobile exchanges.
Sec. 633. Updated business case analysis for consolidation of the defense resale system.

Subtitle E—Other Personnel Benefits

Sec. 641. Maintenance of funding for Stars and Stripes.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Expansion of mental health assessments for members of the Armed Forces.
Sec. 702. Mandatory referral for mental health evaluation.
Sec. 703. Assessments and testing relating to exposure to perfluoroalkyl and polyfluoroalkyl substances.
Sec. 704. Improvement to breast cancer screening.

Subtitle B—Health Care Administration

Sec. 711. Protection of the Armed Forces from infectious diseases.
Sec. 712. Inclusion of drugs, biological products, and critical medical supplies in national security strategy for national technology and industrial base.
Sec. 713. Contract authority of the Uniformed Services University of the Health Sciences.
Sec. 714. Extension of organization requirements for Defense Health Agency.
Sec. 715. Modification to limitation on the realignment or reduction of military medical manning end strength.
Sec. 716. Modifications to implementation plan for restructure or realignment of military medical treatment facilities.
Sec. 717. Policy to address opioid prescription abuse prevention.
Sec. 718. Addition of burn pit registration to electronic health records of members of the Armed Forces and veterans.

Subtitle C—Matters Relating to COVID–19

Sec. 721. COVID–19 military health system review panel.
Sec. 722. COVID–19 global war on pandemics.
Sec. 723. Registry of TRICARE beneficiaries diagnosed with COVID–19.

Subtitle D—Reports and Other Matters

Sec. 731. Modifications to pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of national disaster medical system.
Sec. 732. Reports on suicide among members of the Armed Forces and suicide prevention programs and activities of the Department of Defense.
Sec. 733. Clarification of research under Joint Trauma Education and Training Directorate and inclusion of military working dogs.
Sec. 734. Extension of the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Project.
Sec. 735. Information sharing by Secretary of Defense regarding prevention of infant and maternal mortality.
Sec. 736. Grant program for increased cooperation on post-traumatic stress disorder research between United States and Israel.
Sec. 737. Pilot program on cryopreservation and storage.
Sec. 738. Pilot program on parents serving as certified nursing assistants for children under TRICARE program.
Sec. 739. Study on incidence of cancer diagnosis and mortality among pilots in the Armed Forces.
Sec. 740. Report on diet and nutrition of members of the Armed Forces.
Sec. 741. Report on costs and benefits of allowing retired members of the Armed Forces to contribute to health savings accounts.
Sec. 742. Study on toxic exposure at Karshi–Khanabad Air Base, Uzbekistan.
Sec. 743. Audit of medical conditions of tenants in privatized military housing.
Sec. 744. Report on Integrated Disability Evaluation System.
Sec. 745. Review and report on prevention of suicide among members of the Armed Forces stationed at remote installations outside the contiguous United States.

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

Sec. 751. Short title.
Sec. 752. Expansion of eligibility for readjustment counseling and related outpatient services from Department of Veterans Affairs to include members of reserve components of the Armed Forces.
Sec. 753. Provision of mental health services from Department of Veterans Affairs to members of reserve components of the Armed Forces.
Sec. 754. Inclusion of members of reserve components in mental health programs of Department of Veterans Affairs.
Sec. 755. Report on mental health and related services provided by Department of Veterans Affairs to members of the Armed Forces.

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

Subtitle A—Acquisition Policy and Management

Sec. 801. Congressional notification of termination of a middle tier acquisition program.

Sec. 802. Modification to the definition of nontraditional defense contractor.
Sec. 803. Major weapon systems: life-cycle sustainment plan.
Sec. 804. Contractor business systems.
Sec. 805. Acquisition authority of the Director of the Joint Artificial Intelligence Center.
Sec. 806. Reforming the Department of Defense.
Sec. 807. Alternative Space Acquisition System for the United States Space Force.

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

Sec. 811. Sustainment reform for the Department of Defense.
Sec. 812. Modifications to Comptroller General assessment of acquisition programs and related initiatives.
Sec. 813. Contractor whistleblower protections relating to nondisclosure agreements.
Sec. 814. Competition requirements for purchases from Federal Prison Industries.
Sec. 815. Disclosure of beneficial owners in database for Federal agency contract and grant officers.
Sec. 816. Inclusion of optical transmission components in the analytical framework for supply chain risks.
Sec. 817. Amendment to definition of qualified apprentice.
Sec. 818. Contract closeout authority for services contracts.
Sec. 819. Plan to improve Department-wide management of investments in weapon systems.

Subtitle C—Industrial Base Matters

Sec. 821. Quarterly national technology and industrial base briefings.
Sec. 822. Expansion on the prohibition on acquiring certain metal products.
Sec. 823. Requirement that certain ship components be manufactured in the national technology and industrial base.
Sec. 824. Preference for sourcing rare earth materials from the national technology and industrial base.
Sec. 825. Enhanced domestic content requirement for major defense acquisition programs.
Sec. 826. Additional requirements pertaining to printed circuit boards.
Sec. 827. Report on use of domestic nonavailability determinations.
Sec. 828. Sense of Congress on the prohibition on certain telecommunications and video surveillance services or equipment.

Subtitle D—Small Business Matters

Sec. 831. Transfer of verification of small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration.
Sec. 832. Equitable adjustments to certain construction contracts.
Sec. 833. Exemption of certain contracts awarded to small business concerns from category management requirements.
Sec. 834. Report on accelerated payments to certain small business concerns.

Subtitle E—Other Matters

Sec. 841. Modifications to supervision and award of certain contracts.
Sec. 842. Amendments to submissions to Congress relating to certain foreign military sales.
Sec. 843. Revisions to requirement to use firm fixed-price contracts for foreign military sales.
Sec. 844. Small Business Industrial Base Resiliency Program.
Sec. 845. Requirements relating to reports and limitations on the availability of funds.
Sec. 846. Assessment of the requirements processes of the military departments.
Sec. 847. Report on transfer and consolidation of certain defense acquisition statutes.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

Sec. 901. Repeal of position of Chief Management Officer.
Sec. 902. Assistant Secretary of Defense for Industrial Base Policy.

Subtitle B—Other Department of Defense Organization and Management Matters

Sec. 911. Limitation on reduction of civilian workforce.
Sec. 912. Chief Diversity Officers.
Sec. 913. Establishment of Deputy Assistant Secretaries for Sustainment.
Sec. 914. Office of Defense Community Cooperation and Economic Adjustment.
Sec. 915. Input from Chief of National Guard Bureau to the Joint Requirements Oversight Council.
Sec. 916. Redesignation of the Joint Forces Staff College.

Subtitle C—Space Matters

Sec. 921. Assistant Secretary of Defense for Space and Strategic Deterrence Policy.
Sec. 922. Office of the Chief of Space Operations.
Sec. 923. Space Force Medal.
Sec. 924. Clarification of procurement of commercial satellite communications services.
Sec. 925. Temporary exemption from authorized daily average of members in pay grades E–8 and E–9.
Sec. 926. One-time uniform allowance for members transferred to the Space Force.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Determination of budgetary effects.
Sec. 1003. Pandemic Preparedness and Resilience National Security Fund.
Sec. 1004. Budget materials for special operations forces.

Subtitle B—Counterdrug Activities

Sec. 1011. Support for counterdrug activities and activities to counter transnational organized crime affecting flow of drugs into the United States.
Sec. 1012. Congressional notification with respect to Department of Defense support provided to other United States agencies for counterdrug activities and activities to counter transnational organized crime.

Subtitle C—Naval Vessels

Sec. 1021. Limitation on availability of certain funds without naval vessels plan and certification.
Sec. 1022. Limitations on use of funds in the National Defense Sealift Fund for purchase of foreign constructed vessels.
Sec. 1023. Use of National Sea-Based Deterrence Fund for incrementally funded contracts to provide full funding for Columbia class submarines.
Sec. 1024. Preference for United States vessels in transporting supplies by sea.
Sec. 1025. Restrictions on overhaul, repair, etc. of naval vessels in foreign shipyards.
Sec. 1026. Biannual report on shipbuilder training and the defense industrial base.
Sec. 1027. Prohibition on use of funds for retirement of certain littoral combat ships.
Sec. 1028. Report on implementation of Commandant's Planning Guidance.
Sec. 1029. Limitation on naval force structure changes.

Subtitle D—Counterterrorism

Sec. 1031. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Support of special operations to combat terrorism.
Sec. 1042. Prohibition on retirement of nuclear powered aircraft carriers before first refueling.
Sec. 1043. Required minimum inventory of tactical airlift aircraft.
Sec. 1044. Modification and technical correction to Department of Defense authority to provide assistance along the southern land border of the United States.
Sec. 1045. Battlefield airborne communications node certification requirement.
Sec. 1046. Requirements relating to newest generations of personal protective equipment.
Sec. 1047. Prohibition on use of funds for retirement of A-10 aircraft.
Sec. 1048. Mandatory criteria for strategic basing decisions.
Sec. 1049. Limitation on use of funds pending public availability of top-line numbers of deployed members of the Armed Forces.
Sec. 1050. Limitation on physical move, integration, reassignment, or shift in responsibility of Marine Forces Northern Command.
Sec. 1051. Conditions for permanently basing United States equipment or additional forces in host countries with at-risk vendors in 5G or 6G networks.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

Sec. 1101. Family and medical leave amendments.
Sec. 1102. Limitation on authority to exclude employees from chapter 71 of title 5.
Sec. 1103. Authority to provide travel and transportation allowances in connection with transfer ceremonies of department of defense and coast guard civilian employees who die overseas.
Sec. 1104. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for federal civilian employees working overseas.
Sec. 1105. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
Sec. 1106. Limiting the number of local wage areas defined within a pay locality.
Sec. 1107. Civilian Faculty At the Defense Security Cooperation University and Institute of Security Governance.
Sec. 1108. Expansion of authority for appointment of recently-retired members of the armed forces to positions at certain industrial base facilities.
Sec. 1109. Fire Fighters Alternative Work Schedule demonstration project.

Sec. 1110. Special rules for certain monthly workers' compensation payments and other payments for Federal Government personnel under chief of mission authority.

Subtitle B—Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020

Sec. 1121. Short title.
Sec. 1122. Sense of Congress.
Sec. 1123. Notification of violation.
Sec. 1124. Reporting requirements.
Sec. 1125. Data to be posted by employing Federal agencies.
Sec. 1126. Data to be posted by the Equal Employment Opportunity Commission.
Sec. 1127. Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 amendments.
Sec. 1128. Nondisclosure agreement limitation.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

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Sec. 1201. Modification and extension of support of special operations for irregular warfare.
Sec. 1202. Department of Defense participation in European Program on Multilateral Exchange of Surface Transportation Services.
Sec. 1203. Extension of authority to transfer excess high mobility multipurpose wheeled vehicles to foreign countries.
Sec. 1204. Modification and extension of update of Department of Defense Freedom of Navigation Report.
Sec. 1205. Extension of report on workforce development.

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 of the Afghan Special Immigrant Visa Program.
Sec. 1213. Limitation on use of funds to reduce deployment to Afghanistan.
Sec. 1214. Report on Operation Freedom Sentinel.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

Sec. 1221. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.
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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Navy Programs

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

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

Subtitle C—Air Force Programs

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

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

(b) TEMPORARY AUTHORITY TO RETIRE AIRCRAFT.—

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

(2) TERMINATION OF AUTHORITY.—The authority of the Secretary of the Air Force to retire aircraft under paragraph (1) shall terminate on January 1, 2023.

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

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

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

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

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

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

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

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

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

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

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of the Air Force for the Advanced Battle Management System, not more than 50 percent may be obligated or expended until—

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

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

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

(3) the Secretary of Defense—

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

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

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

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

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

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

(1) FISCAL YEAR 2021.—During the period beginning on the date of the enactment of this Act and ending on October 1, 2021, the Secretary of the Air Force shall maintain a minimum of 50 KC–10A aircraft designated as primary mission aircraft inventory.

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

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

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

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

(2) EXCEPTION.—The prohibition in paragraph (1) shall not apply to individual KC–135 aircraft that the Secretary of the Air Force determines,

on a case-by-case basis, to be no longer mission capable because of mishaps, other damage, or being uneconomical to repair.

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

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

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

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

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

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

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

(3) an acquisition strategy for the aircraft that—

(A) identifies principal acquisition milestones; and

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

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

(1) death or severe injury to personnel; or

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

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

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

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

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

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

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

(2) funds obligated or expended—

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

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

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

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

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

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

(4) An assessment of the utility and cost differential of performing international treaty monitoring missions such as Olive Harvest with the OC–135 aircraft, a version of the aircraft that is expected to replace the OC–135, or similar aerial imagery collection and processing capabilities.

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

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

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

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

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

(a) MODERNIZATION PLAN.—

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

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

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

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

(A) An assessment of all airborne intelligence, surveillance, and reconnaissance missions, both current missions and those missions necessary to support the national defense strategy.

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

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

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

(b) REPORT TO CONGRESS.—

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

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

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

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

SEC. 129. MINIMUM BOMBER AIRCRAFT FORCE LEVEL.

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

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

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

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

(B) the minimum number of primary mission aircraft.

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

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

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

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

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

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

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

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

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

(a) LIMITATION.—The Secretary of Defense may not grant Milestone C approval for the F–35 aircraft program pursuant to section 2366c of title 10, United States Code, or enter into a contract for the full-rate production of F–35 aircraft, until a period of 30 days has elapsed following the date on which the Secretary has submitted to the congressional defense committees all of the documentation required under subsection (b).

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

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

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

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

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

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

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

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

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

(4) An independent cost estimate, prepared by Director of Cost Assessment and Program Evaluation, that defines, for each phase of the F–35 aircraft program, the cost to develop, procure, integrate, and retrofit F–35 aircraft with all Block 4 capability requirements that are specified in the most recent Block 4 capabilities development document.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) An explanation of the types and methods of regression testing that were completed for the production release of the software to ensure compatibility and proper functionality with—

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

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

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

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

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

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

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

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

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

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

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

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

(A) installed on covered aircraft; and

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

(2) the funding allocated for such efforts.

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

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

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

(c) DEFINITIONS.—In this section:

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

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

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

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for procurement for the Armed Overwatch Program of the United States Special Operations Command may be obligated or expended until the date on which—

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

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

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

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

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

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

(i) an analysis of alternatives;

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

(iii) a sustainment plan with projected costs;

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

(v) a manpower and training analysis, and;

(vi) doctrinal considerations for employment; and

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

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

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

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

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

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

''(b) REQUIREMENT FOR PILOT SUBPROGRAM.—

''(1) IN GENERAL.—As a subprogram of the program under subsection (a), the Secretary of Defense shall carry out a pilot program to be known as the 'National Security Pipeline Pilot Program' (referred to in this section as the 'Pilot Program') under which the Secretary shall seek to enter into partnerships with minority institutions to diversify the participants in the program under subsection (a).

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

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

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

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

''(3) REPORTS.—

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

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

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

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

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

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

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

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

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

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

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

''(i) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(h) DEFINITIONS.—In this section:

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

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

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

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

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

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

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2192b the following new item:

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

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

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

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

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

(2) in subsection (c)—

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

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

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

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

(3) in subsection (d)—

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

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

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

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

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

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

SEC. 214. PILOT PROGRAM ON TALENT OPTIMIZATION.

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) CODIFICATION.—

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

''§2358c. National Security Innovation Network

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

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

''(1) to create a network throughout the United States that connects the Department of Defense to academic institutions, commercial accelerators and incubators, commercial innovation hubs, and nonprofit entities with missions relating to national security innovation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(d) DEFINITIONS.—In this section:

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

''(2) The term 'early-stage dual-use venture' means a business that provides products or services that are capable of meeting requirements for military and nonmilitary applications that has raised not more than $20,000,000 in private venture capital, and whose principal product or service does not support, either directly or indirectly, a current Department of Defense program of record.''.

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

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

(b) IMPLEMENTATION.—

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

(2) INTEGRATION WITH EXISTING NSIN.—Effective on the date of the enactment of this Act, the National Security Innovation Network of the Department of Defense (as in existence on the day before such date of enactment) shall be transferred to and merged with the National Security Innovation Network established under section 2358c of title 10, United States Code (as added by subsection (a)).

(3) IMPLEMENTATION PLAN.—

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

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

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

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

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

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

(III) integration of the Network with the other programs and initiatives within the Department that have missions relating to innovation and

outreach to the academic and the private sector early-stage dual-use venture community (as defined in section 2358c of title 10, United States Code (as added by subsection (a)); and

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

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

(c) COMPTROLLER GENERAL REVIEWS AND REPORTS.—

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

(A) complete a review of the implementation plan;

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

(2) PROGRAM EVALUATION AND REPORT.—

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

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

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

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

(i) the congressional defense committees;

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

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

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

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

(1) in subsection (e)(1)—

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

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

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

''(i) research and information fluency;

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

''(iii) technology operations and concepts;

''(iv) information and technological literacy;

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) in subsection (a)—

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

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

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

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

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

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

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

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

''(b) RESPONSIBLE OFFICIAL.—The Deputy Secretary of Defense shall be the official within the Department of Defense with principal responsibility for the coordination of activities relating to the acquisition, development, and demonstration of artificial intelligence and machine learning for the Department.''.

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

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

''(c) ORGANIZATION.—

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

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

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

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

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

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

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

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

(D) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

(C) by adding at the end the following: ''At a minimum, such access shall ensure that the Director has the ability to discover, access, share, and reuse data and models of the Armed Forces and other organizations and elements of the Department of Defense and to build and maintain data for the Department.'';

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

(A) in paragraph (1)—

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

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

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

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

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

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

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

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

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

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

''(e) ESTABLISHMENT OF ADVISORY BOARD.—

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

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

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

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

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

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

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

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

''(C) The Defense Innovation Board.

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

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

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

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

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

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

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

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

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

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

(2) in subsection (f)—

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

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

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

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

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

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

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

SEC. 220. DIGITAL DATA MANAGEMENT AND ANALYTICS CAPABILITY.

(a) DIGITAL DATA MANAGEMENT AND ANALYTICS CAPABILITY.—

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

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

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

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

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

(ii) the acquisition process for such systems.

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

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

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

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

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

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

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

(v) to provide timely analyses to Department leadership.

(C) The capability will be designed—

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

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

(iii) to facilitate productivity, discovery, access, knowledge sharing, and analysis of acquisition-related data across organizational boundaries at all levels of the Department, including through the development of acquisition documentation; and

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

(3) SOFTWARE REQUIREMENT.—

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

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

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

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

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

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

(ii) making new data active through digitalization;

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

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

(b) DEMONSTRATION ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense shall carry out demonstration activities to test various approaches to building the capability required under subsection (a).

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

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

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

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

(A) conduct a comparative analysis that assesses the risks and benefits of the digital management and analytics capability used in each of the programs participating in the demonstration activities relative to the Department's traditional data collection, reporting, exposing, and analysis approaches;

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

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

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

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

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

(d) STEERING COMMITTEE.—

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

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

(A) The Chief Management Officer.

(B) The Chief Information Officer.

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

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

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

(F) The Director of Operational Test and Evaluation.

(G) The Service Acquisition Executives.

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

(I) The Director of the Defense Digital Service.

(e) INDEPENDENT ASSESSMENTS.—

(1) INITIAL ASSESSMENT.—

(A) IN GENERAL.—The Defense Innovation Board, in consultation with the Defense Digital Service, shall conduct an independent assessment to identify recommended approaches for

the implementation of subsections (a) through (c).

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

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

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

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

(iv) A recommendation identifying the office or other organization of the Department of Defense that would be most appropriate to manage and execute the capability.

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

(2) FINAL ASSESSMENT.—

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

(B) INFORMATION TO CONGRESS.—Not later than 30 days after the date on which the assessment under subparagraph (A) is completed, the Defense Innovation Board and the Defense Science Board shall jointly provide to the congressional defense committees—

(i) a report summarizing the assessment; and

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

(f) REPORT AND BRIEFING.—

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

(2) BRIEFING ON LEGISLATIVE RECOMMENDATIONS.—Not later than October 15, 2021, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing that identifies any changes to existing law that may be necessary to facilitate the implementation of subsections (a) through (c).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) improving understanding of the fundamental social, cultural, and behavioral forces that shape the strategic interests of the United States; and

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

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

(A) includes definitive milestones;

(B) provides for achieving specific technical goals; and

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

(3) develop plans for—

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

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

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

(e) GUIDANCE REQUIRED.—

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

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

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

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

(f) RESEARCH CENTERS.—

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

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

(g) REPORT.—

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

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

SEC. 222. MEASURING AND INCENTIVIZING PROGRAMMING PROFICIENCY.

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

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

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

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

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

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

(3) Implement a system of rewards, including appropriate incentive pay and retention incentives, for members of the Armed Forces and civilian employees of the Department of Defense

who perform successfully on specific language coding proficiency and artificial intelligence competency tests and make their skills available to the Department.

(b) INFORMATION SHARING WITH OTHER FEDERAL AGENCIES.—The Secretary of Defense shall share information on the activities carried out under subsection (a) with the Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the heads of such other organizations of the intelligence community as the Secretary determines appropriate, for purposes of—

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

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

SEC. 223. INFORMATION TECHNOLOGY MODERNIZATION AND SECURITY EFFORTS.

(a) MODERNIZATION EFFORT.—

(1) DEFINITIONS.—In this subsection—

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

(B) the term ''covered agency''—

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

(ii) includes the Department of Defense;

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

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

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

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

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

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

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

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

(i) increasing the efficiency of that infrastructure;

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

(iii) increasing the accuracy of that infrastructure;

(iv) validating models used by that infrastructure; and

(v) monitoring and enforcing requirements that are imposed on covered agencies with respect to the use of Federal spectrum by covered agencies;

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

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

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

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

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

(3) SPECTRUM INFORMATION TECHNOLOGY MODERNIZATION.—

(A) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Assistant Secretary shall submit to Congress a report that contains the plan of the NTIA to modernize and automate the infrastructure of the NTIA relating to managing the use of Federal spectrum by covered agencies so as to more efficiently manage that use.

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

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

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

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

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

(I) enhance the security and reliability of that infrastructure so that such infrastructure satisfies the requirements of the Federal Information Security Management Act of 2002 (Public Law 107–296; 116 Stat. 2135);

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

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

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

(bb) improve data quality and processing time; and

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

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

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

(I) a description of—

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

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

(II) a plan for standardizing—

(aa) electromagnetic spectrum analysis tools;

(bb) modeling and simulation processes and technologies; and

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

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

(vii) identification of manually intensive processes involved in managing Federal spectrum and proposed enhancements to those processes;

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

(ix) 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.

(4) INTERAGENCY INPUTS.—

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

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

(i) include—

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

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

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

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

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

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

(aa) a strategy for the integration of systems or the flow of data among the Armed Forces, the military departments, the Defense Agencies and Department of Defense Field Activities, and other components of the Department of Defense;

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

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

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

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

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

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

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

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

annually thereafter, submit a report regarding that oversight to—

(i) with respect to the implementation of the modernization plan of the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

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

(D) provide regular briefings to—

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

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

(b) TELECOMMUNICATIONS SECURITY PROGRAM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The Under Secretary of Defense for Policy.

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

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

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

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

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

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

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

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

(g) DEFINITIONS.—In this section:

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

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

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

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

SEC. 225. DIRECTED ENERGY WORKING GROUP.

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

(b) RESPONSIBILITIES.—The working group shall—

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

(2) make recommendations to the Secretary of Defense about establishing memoranda of understanding among the organizations and elements of the Department of Defense to coordinate directed energy activities using amounts authorized to be appropriated for research, development, test, and evaluation;

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

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

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

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

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

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

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

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

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

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

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

SEC. 226. PROGRAM EXECUTIVE OFFICER FOR AUTONOMY.

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

(b) PROGRAM EXECUTIVE OFFICER DEFINED.—In this section, the term ''program executive officer'' has the meaning given that term in section 1737(a)(4) of title 10, United States Code.

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

(a) INDEPENDENT COST ESTIMATE.—

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

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

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

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

(b) AIR FORCE BRIEFING REQUIREMENT.—Section 147(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 STAT. 1670) is amended by adding at the end the following: ''Each briefing shall include a detailed explanation of any on-ramp exercise of the Advanced Battle

Management System conducted during the quarter covered by the report, including an explanation of—

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

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

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

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

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

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

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

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

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

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

(3) REPORT ON ALIGNMENT WITH COMMON MISSION CONTROL CENTER.—A report, which may be submitted in classified or unclassified form, that explains how, and to what extent, the Advanced Battle Management System will be aligned and coordinated with the Common Mission Control Center of the Air Force.

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

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

SEC. 228. MEASURES TO ADDRESS FOREIGN TALENT PROGRAMS.

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

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

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

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

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

(2) any other factors the Secretary determines appropriate.

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

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

(e) NOTICE AND COMMENT PERIOD.—The list developed under subsection (a), and any guidance, rules, updates, or other requirements relating to such list, shall not take effect until such list, or any such guidance, rules, updates, or other requirements (as the case may be) have been—

(1) published in the Federal Register; and

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

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

SEC. 229. DISCLOSURE OF FOREIGN FUNDING SOURCES IN APPLICATIONS FOR FEDERAL RESEARCH AWARDS.

(a) DISCLOSURE REQUIREMENT.—Each Federal research agency shall require—

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

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

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

(c) ENFORCEMENT.—

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

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

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

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

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

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

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

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

(d) DEFINITIONS.—In this section:

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

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

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

(A) The Department of Agriculture.

(B) The Department of Commerce.

(C) The Department of Defense.

(D) The Department of Education.

(E) The Department of Energy.

(F) The Department of Health and Human Services.

(G) The Department of Homeland Security.

(H) The Department of Transportation.

(I) The Environmental Protection Agency.

(J) The National Aeronautics and Space Administration.

(K) The National Science Foundation.

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

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

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of the Navy for the procurement of a large unmanned surface vessel may be obligated or expended until a period of 60 days has elapsed following the date on which the Secretary of the Navy submits to the congressional defense committees the certification described in paragraph (2).

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

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

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

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

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

(i) can be operated autonomously;

(ii) includes autonomous detection; and

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

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

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

(b) LIMITATION ON LUSV WEAPON INTEGRATION.—The Secretary of the Navy may not integrate any offensive weapon system into a large

unmanned surface vessel until the date on which the Secretary of the Defense certifies to the congressional defense committees that any large unmanned surface vessel that employs offensive weapons will comply with the law of armed conflict. Such certification shall include a detailed explanation of how such compliance will be achieved.

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

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

(b) LIMITATION ON NAVY FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the next generation air dominance initiative of the Navy, not more than 85 percent may be obligated or expended until the date on which the Director of Cost Assessment and Program Evaluation submits the report required under subsection (d)(2).

(c) REVIEWS.—

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

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

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

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

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

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

(C) affordability goals that the Air Force and the Navy (as the case may be) will be required to achieve during development, production, and sustainment activities for such capabilities that will not jeopardize or otherwise be detrimental to other high-priority future capabilities being developed and procured to support and execute other primary core competencies and missions.

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

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

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

Subtitle C—Emerging Technology and Artificial Intelligence Matters

SEC. 241. STEERING COMMITTEE ON EMERGING TECHNOLOGY.

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

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

(1) The Deputy Secretary of Defense.

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

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

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

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

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

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

(1) developing a strategic vision for the organizational change, concept and capability development, and technology investments in emerging technologies that are needed to maintain the technological edge of the military and intelligence community of the United States;

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

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

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

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

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

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

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

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

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

(a) DEPARTMENT OF DEFENSE.—

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

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

(A) a generalist's introduction to—

(i) software development and business processes;

(ii) data management practices related to machine learning;

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

(iv) artificial intelligence workforce roles; and

(v) cybersecurity and secure software development; and

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

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

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

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

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

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

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

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

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

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

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

(1) a plan for implementing the guidance;

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

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

(d) DEFINITIONS.—

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

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

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

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

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

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

(d) REPORT.—Not later than two years after the commencement of the pilot program under

subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the results of the program. At a minimum, the report shall describe—

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

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

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

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

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

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

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

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

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

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

(1) for a member of the Armed Forces, a 24-hour pass which may be used on a stand-alone basis or in conjunction with other leave, holiday, or weekend periods; and

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

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

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

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

(b) SELECTION.—

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

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

(A) In the case of a qualified professor—

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

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

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

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

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

(c) IMPLEMENTATION.—

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

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

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

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

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

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

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

(d) REPORTS TO CONGRESS.—

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

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

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

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

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

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

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

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

(e) DEFINITIONS.—In this section:

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

(A) the research organizations of the military departments;

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

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

(D) the Defense Advanced Research Projects Agency; and

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

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

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

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

SEC. 247. MICROELECTRONICS AND NATIONAL SECURITY.

(a) MODIFICATION OF STRATEGY FOR ASSURED ACCESS TO TRUSTED MICROELECTRONICS.—Section 231 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a), by striking ''September 30, 2019'' and inserting ''December 30, 2020'';

(2) in subsection (b), by adding at the end the following new paragraphs:

''(10) An approach to ensuring the continuing production of cutting-edge microelectronics for national security needs, including state-of-the-art node sizes, heterogeneous integration, boutique chip designs, and variable volume production capabilities.

''(11) An assessment of current microelectronics supply chain management practices, existing risks, and actions that may be carried out to mitigate such risks by organizations in the defense industrial base.

''(12) A plan for increasing commercialization of intellectual property developed by the Department of Defense for commercial microelectronics research and development.

''(13) An assessment of the feasibility, usefulness, efficacy, and cost of—

''(A) developing a national laboratory exclusively focused on the research and development of microelectronics to serve as a center for Federal Government expertise in high-performing, trusted microelectronics and as a hub for Federal Government research into breakthrough microelectronics-related technologies; and

''(B) incorporating into such national laboratory a commercial incubator to provide early-stage microelectronics startups, which face difficulties scaling due to the high costs of microelectronics design and fabrication, with access to funding resources, fabrication facilities, design tools, and shared intellectual property.

''(14) Such other matters as the Secretary of Defense determines to be relevant.'';

(3) in subsection (d), by striking ''September 30, 2019'' and inserting ''December 30, 2020''; and

(4) in subsection (e), by striking ''September 30, 2019'' and inserting ''December 30, 2020''.

(b) ADVISORY PANEL ON MICROELECTRONICS LEADERSHIP AND COMPETITIVENESS.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the President, in consultation with the National Security Council, the National Economic Council, and the Office of Science and Technology Policy, shall establish an advisory panel on microelectronics leadership and competitiveness (referred to in this subsection as the ''Advisory Panel'').

(2) MEMBERSHIP.—The Advisory Panel shall be composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of the National Science Foundation.

(D) The Director of the National Institute of Standards and Technology.

(E) The heads of such other departments and agencies of the Federal Government as the President, in consultation with the National Security Council, determines appropriate.

(3) NATIONAL STRATEGY.—

(A) IN GENERAL .—Not later than 180 days after the date on which the Advisory Panel is established, the Panel shall develop a national strategy to—

(i) accelerate the development and deployment of state-of-the-art microelectronics; and

(ii) ensure that the United States is a global leader in the field of microelectronics.

(B) ELEMENTS.—The strategy developed under subparagraph (A) shall address the following:

(i) Activities that may be carried out to strengthen engagement and outreach between the Department of Defense and industry, academia, international partners of the United States, and other departments and agencies of the Federal Government on issues relating to microelectronics.

(ii) Science, technology, research, and development efforts to facilitate the advancement and adoption of microelectronics and new uses of microelectronics and components, including efforts to—

(I) accelerate leap-ahead research, development, and innovation in microelectronics; and

(II) deploy heterogeneously integrated microelectronics for machine learning and other applications.

(iii) The role of diplomacy and trade in maintaining the position of the United States as a global leader in the field of microelectronics, including the feasibility and advisability of—

(I) implementing multilateral export controls tailored through direct coordination with key allies of the United States, including through the Wassenaar Arrangement and other multilateral fora, for specific semiconductor manufacturing equipment such as extreme ultraviolet photolithography equipment and argon fluoride immersion photolithography equipment;

(II) additional trade enforcement actions that may be initiated by the United States to address any unfair or excessive foreign semiconductor subsidy programs or other unfair microelectronics trade practices; and

(III) the elimination of any trade barriers or unilateral export controls that harm United States companies without producing a substantial benefit to the competitiveness or national security of the United States.

(iv) The potential role of a national laboratory and incubator exclusively focused on the research and development of microelectronics, as described in section 231(b)(13) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) (as added by subsection (a)) in carrying out the strategy and plan required subparagraph (A).

(v) Such other activities as the Panel determines may be appropriate to overcome looming challenges to the innovation, competitiveness, and supply chain integrity of the United States in the area of microelectonics.

(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act—

(1) the Secretary of Defense shall provide to the congressional defense committees a briefing on the progress of the Secretary in developing the strategy and implementation plan required under section 231(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note); and

(2) the Assistant to the President for National Security Affairs shall provide to the congressional defense committees a briefing on the progress of the Advisory Panel in developing the strategy required under subsection (b)(3).

SEC. 248. ACQUISITION OF ETHICALLY AND RESPONSIBLY DEVELOPED ARTIFICIAL INTELLIGENCE TECHNOLOGY.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Board of Directors of the Joint Artificial Intelligence Center established under section 224, shall conduct an assessment to determine whether the Department of Defense has the ability to ensure that any artificial intelligence technology acquired by the Department is ethically and responsibly developed.

(b) ELEMENTS.—The assessment conducted under paragraph (1) shall address the following:

(1) Whether the Department of Defense has personnel with sufficient expertise, across multiple disciplines, to ensure the acquisition of ethically and responsibly developed artificial intelligence technology, including personnel with sufficient ethical, legal, and technical expertise to advise on the acquisition of such technology.

(2) The feasibility and advisability of retaining outside experts as consultants to assist the Department in filling any gaps in expertise identified under paragraph (1).

(3) The extent to which existing acquisition processes encourage or require consultation with relevant experts across multiple disciplines within the Department to ensure that artificial intelligence technology acquired by the Department is ethically and responsibly developed.

(4) Quantitative and qualitative standards for assessing the extent to which experts across multiple disciplines are engaged in the acquisition of artificial intelligence technology by the Department.

(c) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Secretary completes the assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of the assessment.

(2) ELEMENTS.—The report under paragraph (1) shall include, based on the results of the assessment—

(A) an explanation of whether the Department of Defense has personnel with sufficient expertise, across multiple disciplines, to ensure the acquisition of ethically and responsibly developed artificial intelligence technology;

(B) an explanation of whether the Department has adequate procedures to encourage or require the consultation of such experts as part of the acquisition process for artificial intelligence technology; and

(C) with respect to any deficiencies identified under subparagraph (A) or subparagraph (B), a description of any measures that have been taken, and any additional resources that may be needed, to mitigate such deficiencies.

SEC. 249. ENHANCEMENT OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE.

(a) PUBLIC-PRIVATE TALENT EXCHANGE.-- .—Section 1599g of title 10, United States Code is amended—

(1) in subsection (b)(1), by amending subparagraph (C) to read as follows:

''(C) shall contain language ensuring that such employee of the Department does not improperly use information that such employee knows relates to a Department acquisition, or procurement for the benefit or advantage of the private-sector organization.''.

(2) in subsection (f)—

(A) in paragraph (2)—

(i) by striking ''is deemed to be an employee of the Department of Defense for the purposes of'' and inserting ''is subject to'';

(ii) by striking subparagraph (D);

(iii) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively;

(B) by striking paragraph (4);

(C) by redesignating paragraph (5) as paragraph (4); and

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

''(5) shall be required to file a Public Financial Disclosure Report (OGE Form 278) and the Public Financial Disclosure Report for a such a person and a description of any waivers provided to such person shall be made available on a publicly accessible website of the Department of Defense.''.

(b) APPLICATION OF EXCHANGE AUTHORITY TO ARTIFICIAL INTELLIGENCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall take steps to ensure that the authority for the Department of Defense to operate a public-private talent exchange program pursuant to section 1599g of title 10, United States Code, is used to exchange personnel with private sector entities working on artificial intelligence applications. Such application of the authority of section 1599g shall be in addition to, not in lieu of, any other application of such authority by the Department of Defense.

(c) GOALS FOR PROGRAM PARTICIPATION.—In carrying out the requirement of subsection (b), the Secretary shall seek to achieve the following objectives:

(1) In the Secretary of Defense Executive Fellows program, the nomination of an additional five uniformed service members and three government civilians by each service and by the Office of the Secretary of Defense, for sponsorship by private sector entities working on artificial intelligence applications.

(2) For the public-private talent exchange program of the Under Secretary of Defense for Acquisition and Sustainment—

(A) an additional ten government employees to work with private sector entities working on artificial intelligence applications; and

(B) an additional ten employees of private sector entities working on artificial intelligence applications to work in the Department.

(3) The establishment of the following new public-private talent exchange programs in the Office of the Secretary of Defense, comparable to the program referred to in paragraph (2)—

(A) in the office of the Undersecretary of Defense for Research and Engineering, a program with twenty participants, focused on exchanges with private sector entities working on artificial intelligence applications.

(B) in the office of the Chief Information Officer of the Department of Defense, a program with twenty participants, focused on exchanges with private sector entities working on artificial intelligence applications.

(4) In the Army, Navy, and Marine Corps, the establishment of new public-private exchange programs, comparable to the Air Force Education with Industry Program, each with twenty program participants, focused on private sector entities working on artificial intelligence applications.

(d) TREATMENT OF PROGRAM PARTICIPANTS.—

(1) The Army, Navy, and Marine Corps shall take steps to ensure that participation by a service member in a program described in subsection (c)(4) is treated, for purposes of promotion boards and subsequent assignments, as equivalent to attending resident professional military education.

(2) The Secretary of Defense shall establish a public-private exchange program billet office to temporarily hold billets for civilian employees who participate in programs described in subsection (b), to ensure that participating Department of Defense offices are able to retain their staffing levels during the period of participation.

(e) BRIEFING ON EXPANSION OF EXISTING EXCHANGE PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the efforts undertaken to expand existing public-private exchange programs of the Department of Defense and to ensure that such programs seek opportunities for exchanges with private sector entities working on artificial intelligence applications, in accordance with the requirements of this section.

Subtitle D—Sustainable Chemistry Research and Development

SEC. 251. SHORT TITLE.

This subtitle may be cited as the ''Sustainable Chemistry Research and Development Act of 2020''.

SEC. 252. FINDINGS.

Congress finds that—

(1) Congress recognized the importance and value of sustainable chemistry in section 114 of the American Innovation and Competitiveness Act (Public Law 114–329);

(2) sustainable chemistry and materials transformation is a key value contributor to business competitiveness across many industrial and consumer sectors;

(3) companies across hundreds of supply chains critical to the American economy are seeking to reduce costs and open new markets through innovations in manufacturing and materials, and are in need of new innovations in chemistry, including sustainable chemistry;

(4) sustainable chemistry can improve the efficiency with which natural resources are used to meet human needs for chemical products while avoiding environmental harm, reduce or eliminate the emissions of and exposures to hazardous substances, minimize the use of resources, and benefit the economy, people, and the environment; and

(5) a recent report by the Government Accountability Office (GAO–18–307) found that the Federal Government could play an important role in helping realize the full innovation and market potential of sustainable chemistry technologies, including through a coordinated national effort on sustainable chemistry and standardized tools and definitions to support sustainable chemistry research, development, demonstration, and commercialization.

SEC. 253. NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall convene an interagency entity (referred to in this subtitle as the ''Entity'') under the National Science and Technology Council with the responsibility to coordinate Federal programs and activities in support of sustainable chemistry, including those described in sections 255 and 256.

(b) COORDINATION WITH EXISTING GROUPS.—In convening the Entity, the Director of the Office of Science and Technology Policy shall consider overlap and possible coordination with existing committees, subcommittees, or other groups of the National Science and Technology Council, such as—

(1) the Committee on Environment;

(2) the Committee on Technology;

(3) the Committee on Science; or

(4) related groups or subcommittees.

(c) CO-CHAIRS.—The Entity shall be co-chaired by the Director of the Office of Science and Technology Policy and a representative from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(d) AGENCY PARTICIPATION.—The Entity shall include representatives, including subject matter experts, from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, the Department of Energy, the Department of Agriculture, the Department of Defense, the National Institutes of Health, the Centers for Disease Control and Prevention, the Food and Drug Administration, and other related Federal agencies, as appropriate.

(e) TERMINATION.—The Entity shall terminate on the date that is 10 years after the date of enactment of this Act.

SEC. 254. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Entity shall—

(1) consult with relevant stakeholders, including representatives from industry, academia, national labs, the Federal Government, and international entities, to develop and update, as needed, a consensus definition of ''sustainable chemistry'' to guide the activities under this subtitle;

(2) develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry, as described in subsection (b);

(3) assess the state of sustainable chemistry in the United States as a key benchmark from which progress under the activities described in this subtitle can be measured, including assessing key sectors of the United States economy, key technology platforms, commercial priorities, and barriers to innovation;

(4) coordinate and support Federal research, development, demonstration, technology transfer, commercialization, education, and training efforts in sustainable chemistry, including budget coordination and support for public-private partnerships, as appropriate;

(5) identify any Federal regulatory barriers to, and opportunities for, Federal agencies facilitating the development of incentives for development, consideration, and use of sustainable chemistry processes and products;

(6) identify major scientific challenges, roadblocks, or hurdles to transformational progress in improving the sustainability of the chemical sciences;

(7) identify other opportunities for expanding Federal efforts in support of sustainable chemistry; and

(8) review, identify, and make efforts to eliminate duplicative Federal funding and duplicative Federal research in sustainable chemistry.

(b) CHARACTERIZING AND ASSESSING SUSTAINABLE CHEMISTRY.—The Entity shall develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry for the purposes of carrying out the Act. In developing this framework, the Entity shall—

(1) seek advice and input from stakeholders as described in subsection (c);

(2) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use at Federal agencies;

(3) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use by international organizations of which the United States is a member, such as the Organisation for Economic Co-operation and Development; and

(4) consider any other appropriate existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry.

(c) CONSULTATION.—In carrying out the duties described in subsections (a) and (b), the Entity shall consult with stakeholders qualified to provide advice and information to guide Federal activities related to sustainable chemistry through workshops, requests for information, or other mechanisms as necessary. The stakeholders shall include representatives from—

(1) business and industry (including trade associations and small- and medium-sized enterprises from across the value chain);

(2) the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, national labs, and academia);

(3) the defense community;

(4) State, Tribal, and local governments, including nonregulatory State or regional sustainable chemistry programs, as appropriate;

(5) nongovernmental organizations; and

(6) other appropriate organizations.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subtitle, the Entity shall submit a report to the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate, and the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives. In addition to the elements described in subsections (a) and (b), the report shall include—

(A) a summary of federally funded, sustainable chemistry research, development, demonstration, technology transfer, commercialization, education, and training activities;

(B) a summary of the financial resources allocated to sustainable chemistry initiatives by each participating agency;

(C) an assessment of the current state of sustainable chemistry in the United States, including the role that Federal agencies are playing in supporting it;

(D) an analysis of the progress made toward achieving the goals and priorities of this subtitle, and recommendations for future program activities;

(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(F) an evaluation of duplicative Federal funding and duplicative Federal research in sustainable chemistry, efforts undertaken by the Entity to eliminate duplicative funding and research, and recommendations on how to achieve these goals.

(2) SUBMISSION TO GAO.—The Entity shall also submit the report described in paragraph (1) to the Comptroller General of the United States for consideration in future Congressional inquiries.

(3) ADDITIONAL REPORTS.—The Entity shall submit a report to Congress and the Comptroller General of the United States that incorporates the information described in subparagraphs (a), (b), (d), (e), and (f) every three years, commencing after the initial report is submitted until the Entity terminates.

SEC. 255. AGENCY ACTIVITIES IN SUPPORT OF SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity shall carry out activities in support of sustainable chemistry, as appropriate to the specific mission and programs of each agency.

(b) ACTIVITIES.—The activities described in subsection (a) shall—

(1) incorporate sustainable chemistry into existing research, development, demonstration, technology transfer, commercialization, education, and training programs, that the agency determines to be relevant, including consideration of—

(A) merit-based competitive grants to individual investigators and teams of investigators, including, to the extent practicable, early career investigators for research and development;

(B) grants to fund collaborative research and development partnerships among universities, industry, and nonprofit organizations;

(C) coordination of sustainable chemistry research, development, demonstration, and technology transfer conducted at Federal laboratories and agencies;

(D) incentive prize competitions and challenges in coordination with such existing Federal agency programs; and

(E) grants, loans, and loan guarantees to aid in the technology transfer and commercialization of sustainable chemicals, materials, processes, and products;

(2) collect and disseminate information on sustainable chemistry research, development, technology transfer, and commercialization, including information on accomplishments and best practices;

(3) expand the education and training of students at appropriate levels of education, professional scientists and engineers, and other professionals involved in all aspects of sustainable chemistry and engineering appropriate to that level of education and training, including through—

(A) partnerships with industry as described in section 256;

(B) support for the integration of sustainable chemistry principles into chemistry and chemical engineering curriculum and research training, as appropriate to that level of education and training; and

(C) support for integration of sustainable chemistry principles into existing or new professional development opportunities for professionals including teachers, faculty, and individuals involved in laboratory research (product development, materials specification and testing, life cycle analysis, and management);

(4) as relevant to an agency's programs, examine methods by which the Federal agencies, in collaboration and consultation with the National Institute of Standards and Technology, may facilitate the development or recognition of validated, standardized tools for performing sustainability assessments of chemistry processes or products;

(5) through programs identified by an agency, support (including through technical assistance, participation, financial support, communications tools, awards, or other forms of support) outreach and dissemination of sustainable chemistry advances such as non-Federal symposia, forums, conferences, and publications in collaboration with, as appropriate, industry, academia, scientific and professional societies, and other relevant groups;

(6) provide for public input and outreach to be integrated into the activities described in this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate;

(7) within each agency, develop or adapt metrics to track the outputs and outcomes of the programs supported by that agency; and

(8) incentivize or recognize actions that advance sustainable chemistry products, processes, or initiatives, including through the establishment of a nationally recognized awards program through the Environmental Protection Agency to identify, publicize, and celebrate innovations in sustainable chemistry and chemical technologies.

(d) LIMITATIONS.—Financial support provided under this section shall—

(1) be available only for pre-competitive activities; and

(2) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 256. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity may facilitate and support, through financial, technical, or other assistance, the creation of partnerships between institutions of higher education, nongovernmental organizations, consortia, or companies across the value chain in the chemical industry, including small- and medium-sized enterprises, to—

(1) create collaborative sustainable chemistry research, development, demonstration, technology transfer, and commercialization programs; and

(2) train students and retrain professional scientists, engineers, and others involved in materials specification on the use of sustainable chemistry concepts and strategies by methods, including—

(A) developing or recognizing curricular materials and courses for undergraduate and graduate levels and for the professional development of scientists, engineers, and others involved in materials specification; and

(B) publicizing the availability of professional development courses in sustainable chemistry and recruiting professionals to pursue such courses.

(b) PRIVATE SECTOR PARTICIPATION.—To be eligible for support under this section, a partnership in sustainable chemistry shall include at least one private sector organization.

(c) SELECTION OF PARTNERSHIPS.—In selecting partnerships for support under this section, the agencies participating in the Entity shall also consider the extent to which the applicants are willing and able to demonstrate evidence of support for, and commitment to, the goals outlined in the strategic plan and report described in section 254.

(d) PROHIBITED USE OF FUNDS.—Financial support provided under this section may not be used—

(1) to support or expand a regulatory chemical management program at an implementing agency under a State law;

(2) to construct or renovate a building or structure; or

(3) to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 257. PRIORITIZATION.

In carrying out this subtitle, the Entity shall focus its support for sustainable chemistry activities on those that achieve, to the highest extent practicable, the goals outlined in the Act.

SEC. 258. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to alter or amend any State law or action with regard to sustainable chemistry, as defined by the State.

SEC. 259. MAJOR MULTI-USER RESEARCH FACILITY PROJECT.

Section 110 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s-2) is amended by striking (g)(2) and inserting the following:

''(2) MAJOR MULTI-USER RESEARCH FACILITY PROJECT.—The term 'major multi-user research facility project' means a science and engineering facility project that exceeds $100,000,000 in total construction, acquisition, or upgrade costs to the Foundation.''.

Subtitle E—Plans, Reports, and Other Matters

SEC. 261. MODIFICATION TO ANNUAL REPORT OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

Section 139(h)(2) of title 10, United States Code, is amended—

(1) by striking ''Engineering,,'' and inserting ''Engineering,''; and

(2) by striking '', through January 31, 2025''.

SEC. 262. REPEAL OF QUARTERLY UPDATES ON THE OPTIONALLY MANNED FIGHTING VEHICLE PROGRAM.

Section 261 of the National Defense Authorization Act for Fiscal Year 2020 (Public law 116–92; 133 Stat. 1294) is repealed.

SEC. 263. INDEPENDENT EVALUATION OF PERSONAL PROTECTIVE AND DIAGNOSTIC TESTING EQUIPMENT.

(a) INDEPENDENT EVALUATION REQUIRED.—The Director of Operational Test and Evaluation shall conduct an independent evaluation of—

(1) any processes used to test the effectiveness of covered personal protective and diagnostic testing equipment; and

(2) the results of such tests.

(b) AVAILABILITY OF INFORMATION.—The Secretary of Defense shall provide the Director of Operational Test and Evaluation with such information as may be necessary for the Director to conduct the evaluations required under subsection (a), including any relevant documentation relating to testing processes and test results for covered personal protective and diagnostic testing equipment.

(c) REPORT TO CONGRESS.—Not later than 30 days after the completion of each evaluation under subsection (a), the Director of Operational Test and Evaluation shall submit to the congressional defense committees a report on the results of the evaluation.

(d) COVERED PERSONAL PROTECTIVE AND DIAGNOSTIC TESTING EQUIPMENT DEFINED.—In this section, the term ''covered personal protective and diagnostic testing equipment'' means any personal protective equipment or diagnostic testing equipment developed, acquired, or used by the Department of Defense—

(1) in response to COVID–19; or

(2) as part of any follow-on, long-term acquisition and distribution program for such equipment.

SEC. 264. REPORTS ON F–35 PHYSIOLOGICAL EPISODES AND MITIGATION EFFORTS.

(a) STUDY AND REPORT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall conduct a study to determine the underlying causes of physiological episodes affecting crewmembers of F–35 aircraft.

(2) ELEMENTS.—The study under subsection (a) shall include—

(A) an examination of each physiological episode reported by a crewmember of an F–35 aircraft as of the date of the enactment of this Act; and

(B) a determination as to the underlying cause of the episode.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes—

(A) the results the study conducted under subsection (a), including a description of each physiological episode examined under the study and an explanation of the underlying cause of the episode;

(B) a description of any actions that may be taken to address the underlying causes of such episodes, including any resources that may be required to carry out such actions; and

(C) any other findings and recommendations of the study.

(b) ANNUAL REPORTS ON MITIGATION EFFORTS.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment, shall include with the annual report required by section 224(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2059), a detailed description of—

(1) the efforts of the Department of Defense to address physiological episodes affecting crewmembers of F–35 aircraft; and

(2) the funding allocated for such efforts.

SEC. 265. STUDY ON MECHANISMS FOR ATTRACTING AND RETAINING HIGH QUALITY TALENT IN THE NATIONAL SECURITY INNOVATION BASE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to determine the feasibility of establishing a program to attract and retain covered individuals for employment in the national security innovation base.

(b) ELEMENTS.—The study required under subsection (a) shall include an analysis of—

(1) mechanisms the Department of Defense may use to engage institutions of higher education to assist in the identification and recruitment of covered individuals for employment in the national security innovation base;

(2) monetary and nonmonetary incentives that may be provided to retain covered individuals in positions in the national security innovation base;

(3) methods that may be implemented to ensure the proper vetting of covered individuals;

(4) the number of covered individuals needed to advance the competitiveness of the research, development, test, and evaluation efforts of the Department of Defense in the critical technologies identified in the National Defense Strategy; and

(5) the type and amount of resources required to implement the program described in subsection (a).

(c) REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the study conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term ''national security innovation base'' the means the network of persons and organizations, including Federal agencies, institutions of higher education, federally funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that

are engaged in the military and nonmilitary research, development, funding, and production of innovative technologies that support the national security of the United States.

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

(3) The term ''covered individual'' means an individual who—

(A) is employed by a United States employer and engaged in work to promote and protect the national security innovation base;

(B) is engaged in basic or applied research, funded by the Department of Defense, through an institution of higher education in the United States; and

(C) possesses scientific or technical expertise that will advance the development of critical technologies identified in the National Defense Strategy or the National Defense Science and Technology Strategy, required by section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

Section 183a(c) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) If, after issuing the notices of presumed risk required by paragraphs (2) and (3), the Secretary of Defense later concludes for any reason that the energy project will not have an adverse impact on military readiness, the Clearinghouse shall notify the applicant and the governor in writing of that conclusion.''; and

(3) in paragraph (7), as so redesignated, by striking ''Any setback for a project pursuant to the previous sentence shall not be more than what is determined to be necessary by a technical analysis conducted by the Lincoln Laboratory at the Massachusetts Institute of Technology or any successor entity.''.

SEC. 312. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

Section 183a(c) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) If, after issuing the notices of presumed risk required by paragraphs (2) and (3), the Secretary of Defense later concludes for any reason that the energy project will not have an adverse impact on military readiness, the Clearinghouse shall notify the applicant and the governor in writing of that conclusion.''.

SEC. 313. AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.

Section 2684a of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''An agreement under this section may be entered into with'' and inserting ''For purposes of this section, the term 'eligible entity' means''; and

(2) in subsection (d)(1)(A), by striking ''the entity'' and inserting ''the eligible entity''.

SEC. 314. MODIFICATION OF DEPARTMENT OF DEFENSE ENVIRONMENTAL RESTORATION AUTHORITIES TO INCLUDE FEDERAL GOVERNMENT FACILITIES USED BY NATIONAL GUARD.

Section 2707(e) of title 10, United States Code, as added by section 316 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, is amended—

(1) by inserting ''where military activities are conducted by the state National Guard under title 32,'' after ''facility''; and

(2) by adding at the end the following new sentence: ''The Secretary concerned may also utilize the authority in section 2701(d) of this title for these environmental restoration projects.''.

SEC. 315. INCREASED TRANSPARENCY THROUGH REPORTING ON USAGE AND SPILLS OF AQUEOUS FILM-FORMING FOAM AT MILITARY INSTALLATIONS.

(a) IN GENERAL.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2712. Reporting on usage and spills of aqueous film-forming foam

''Not later than 48 hours after the Deputy Assistant Secretary of Defense for Environment receives notice of the usage or spill of aqueous film-forming foam, either as concentrate or mixed foam, at any military installation, the Deputy Assistant Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of such usage or spill. Each such notice shall include each of the following:

''(1) The name of the installation where the usage or spill occurred.

''(2) The date on which the usage or spill occurred.

''(3) The amount, type, and specified concentration of aqueous film-forming foam that was used or spilled.

''(4) The cause of the usage or spill.

''(5) A summary narrative of the usage or spill.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2712. Reporting on usage and spills of aqueous film-forming foam.''.

SEC. 316. REPLACEMENT OF NON-TACTICAL MOTOR VEHICLES AT THE END OF SERVICE LIFE WITH ELECTRIC OR HYBRID MOTOR VEHICLES.

Section 2922g of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

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

''(b) END OF LIFE REPLACEMENT.—Upon the end of the lease or service life of a motor vehicle, the Secretary of the military department or the head of the Defense Agency shall, to the maximum extent possible, replace such motor vehicle with a motor vehicle that uses an electric or hybrid propulsion system, including a plug-in hybrid system.'';

(3) in subsection (c), as so redesignated, by striking ''Subsection (a) does not'' and inserting ''Subsections (a) and (b) do not''; and

(4) in subsection (d), as so redesignated, by striking ''The preference required by subsection (a) does not'' and inserting ''The preference under subsection (a) and the requirement under subsection (b) do not''.

SEC. 317. BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO OPERATIONAL ENERGY IMPROVEMENT.

The Secretary of Defense shall include in the annual budget submission of the President under section 1105(a) of title 31, United States Code, a dedicated budget line item for fielding operational energy improvements, including such improvements for which funds from the Operational Energy Capability Improvement Fund have been expended to create the operational and business case for broader employment.

SEC. 318. ASSESSMENT OF DEPARTMENT OF DEFENSE OPERATIONAL ENERGY USAGE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with a federally funded research and development center with relevant expertise under which such center shall conduct an assessment of Department of Defense operational energy usage, including an agency-wide view and breakdowns of progress by service branch.

(b) ELEMENTS.—The assessment required under subsection (a) shall include—

(1) an analysis of the extent to which the Department of Defense developed an integrated operational energy strategy and the extent to which each of the military departments has implemented such strategy;

(2) an analysis of the viability of implementing net zero initiatives or meeting net zero goals within the operational energy enterprise without negatively impacting mission capability;

(3) an analysis of fossil fuel reduction regimes that may maximize reduction of reliance on fossil fuels, including impacts of lowering the reliance on fossil fuels, decreasing the need for refueling convoys, overcoming the tyranny of distance within United States Indo-Pacific Command through hybrid or other fuel efficient propulsion systems, and energy production, storage, and distribution systems that enhance logistics supply chain resiliency;

(4) a description of the options for achieving fossil fuel reduction benchmarks with respect to operational energy of 25 percent, 50 percent, 75 percent, and 100 percent, using fiscal year 2020 as the benchmark, including anticipated funding requirements, statutory requirements, infrastructure needs, and timeframes; and

(5) an analysis of the integration between energy offices with program offices, budget, and operational planners within the Department of Defense and military departments, and recommendations for improving coordination.

(c) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 319. IMPROVEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND OF THE DEPARTMENT OF DEFENSE.

(a) MANAGEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND.—The Under Secretary of Defense for Acquisition and Sustainment shall exercise 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 this placement facilitates better alignment between OECIF, 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 Under Secretary of Defense for Acquisition and Sustainment, shall carry out a program for the demonstration of technologies related to operational energy prototyping, including demonstration of operational energy technology and validation prototyping.

(2) OPERATION OF PROGRAM.—The Secretary shall ensure that the program under paragraph (1) operates in conjunction with the OECIF to promote the transfer of innovative technologies that have successfully established proof of concept for use in production or in the field.

(3) PROGRAM ELEMENTS.—In carrying out the program under paragraph (1) the Secretary shall—

(A) identify and demonstrate the most promising, innovative, and cost-effective technologies and methods that address high-priority operational energy requirements of the Department of Defense;

(B) in conducting demonstrations under subparagraph (A), the Secretary shall—

(i) collect cost and performance data to overcome barriers against employing an innovative technology because of concerns regarding technical or programmatic risk; and

(ii) ensure that components of the Department have time to establish new requirements where necessary and plan, program, and budget for technology transition to programs of record;

(C) utilize project structures similar to those of the OECIF to ensure transparency and accountability throughout the efforts conducted under the program; and

(D) give priority, in conjunction with the OECIF, to the development and fielding of clean technologies that reduce reliance on fossil fuels.

(4) TOOL FOR ACCOUNTABILITY AND TRANSITION.—

(A) IN GENERAL.—In carrying out the program under paragraph (1), the Secretary shall develop and utilize a tool to track relevant investments in operational energy from applied research to transition to use to ensure user organizations have the full picture of technology maturation and development.

(B) TRANSITION.—The tool developed and utilized under subparagraph (A) shall be designed to overcome transition challenges with rigorous and well-documented demonstrations that provide the information needed by all stakeholders for acceptance of the technology.

SEC. 320. FIVE-YEAR REVIEWS OF CONTAINMENT TECHNOLOGIES RELATING TO RED HILL BULK FUEL STORAGE FACILITY.

(a) REVIEWS.—

(1) REVIEWS REQUIRED.—At least once every five years, the Secretary of the Navy shall conduct a review of available technologies relating to the containment of fuel to determine whether any such technology may be used to improve the containment of fuel with respect to storage tanks located at the Red Hill Bulk Fuel Storage Facility, Hawaii.

(2) DEADLINE FOR INITIAL REVIEW.—The Secretary shall begin the first review under paragraph (1) by not later than the date that is one year after the date of the enactment of this Act.

(b) BRIEFINGS.—Not later than 60 days after the date on which a review conducted under subsection (a) is completed, the Secretary shall provide to the congressional defense committees a briefing on—

(1) any technology identified in such review that the Secretary determines may be used to improve the containment of fuel with respect to storage tanks located at the Red Hill Bulk Fuel Storage Facility; and

(2) the feasibility and cost of implementing any such technology at the Red Hill Bulk Fuel Storage Facility.

(c) TERMINATION.—The requirements to conduct reviews under subsection (a) and provide briefings under subsection (b) shall terminate on the date on which the Red Hill Bulk Fuel Storage Facility ceases operation, as determined by the Secretary of the Navy.

SEC. 321. LIMITATION ON USE OF FUNDS FOR ACQUISITION OF FURNISHED ENERGY FOR RHINE ORDNANCE BARRACKS ARMY MEDICAL CENTER.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021 may be used to enter into a contract for the acquisition of furnished energy for the new Rhine Ordnance Barracks Army Medical Center (hereafter referred to as the ''Medical Center'') before the date on which Secretary of Defense submits to the congressional defense committees a written certification that the Medical Center does not use any energy sourced from inside the Russian Federation as a means of generating the furnished energy.

SEC. 322. REQUIREMENT TO UPDATE DEPARTMENT OF DEFENSE CLIMATE CHANGE ROADMAP.

(a) IN GENERAL.—Not later than February 1, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives an update to the Department of Defense 2014 Climate Change Adaptation Roadmap. Such update shall include an outline of the strategy and implementation plan of the Department to address the current and foreseeable effects of climate change on the mission of the Department of Defense.

(b) ELEMENTS OF STRATEGY AND IMPLEMENTATION PLAN.—The strategy and implementation plan required to be included in the update under subsection (a) shall include—

(1) a description of the overarching approach of the Department to climate adaptation and climate mitigation measures; and

(2) a discussion of the current and foreseeable effects of climate change on—

(A) plans and operations, including—

(i) military readiness;

(ii) increased frequency of extreme weather events, including flooding, drought, desertification, wildfires, thawing permafrost, hurricanes, and extreme heat;

(iii) geopolitical instability caused by climate events, including extreme weather;

(iv) increased demand for Defense Support for Civil Authorities and disaster or humanitarian relief operations;

(v) the operating environment of the Arctic and of the strategic and geopolitical implications of a progressively more ice-free Arctic Ocean; and

(vi) alteration or limitation on operation environments;

(B) training and testing, including—

(i) changes in land carrying capacity;

(ii) increased maintenance and repair requirements for equipment and infrastructure;

(iii) mitigation of heat stress and heat-related illnesses resulting from increasing temperatures;

(iv) increased dust generation and fire hazards; and

(v) maintaining testing and training capacity to support increased operations and civil support missions;

(C) built and natural infrastructure, including—

(i) military installation resilience, as such term is defined in section 101(e)(8) of title 10, United States Code, of installations both within and outside the United States and its possessions and territories and of the State-owned National Guard installations of the several States;

(ii) resilience of the air and sea ports of our allies and partners that are critical to the training, deployment, and operations of the armed forces of the United States and its allies and partners;

(iii) resilience of the deployment system and structure of the Department of Defense and of the United States, including the strategic highway network, the strategic rail network, and designated strategic air and sea ports;

(iv) best practices for modeling and mitigating risks posed to military installations by increased inundation, erosion, flood, wind, and fire damage;

(v) changing energy demand at military installations to include heating and cooling, particularly in communities experiencing grid stress;

(vi) disruption and competition for reliable energy and water resources;

(vii) increased maintenance and sustainment costs;

(viii) damage to natural and constructed infrastructure from thawing permafrost and sea ice; and

(ix) the effects of climate stress on community support infrastructure, including roads, transportation hubs, and medical facilities;

(D) acquisition and supply chain, including—

(i) measures to ensure that the current and projected future scale and impacts of climate change are fully considered in the research, development, testing, and acquisition of major weapon systems and of associated supplies and equipment;

(ii) required alterations of stockpiles;

(iii) reduced or changed availability and access to materials, equipment, and supplies, including water and food sources;

(iv) disruptions in fuel availability and distribution;

(v) estimated climate security investments required to address foreseeable costs incurred or influenced by climate change for each of the lines of effort in this report, including extreme weather response, over the next five, ten, and twenty years, with topline estimates and a qualitative discussion of cost drivers for each; and

(vi) equipment and infrastructure investments required to address a changing Arctic environment; and

(E) such other matters as the Secretary determines appropriate.

(c) ASSESSMENTS AND PROJECTIONS OF THE SCOPE AND SCALE OF CLIMATE CHANGE.—In preparing the update to the climate change roadmap as required under subsection (a), the Secretary shall consider—

(1) climate projections from the Global Change Research Office, National Climate Assessment, the National Oceanic and Atmospheric Administration, and other Federal agencies; and

(2) data on, and analysis of, the national security effects of climate prepared by the Climate Security Advisory Council of the Office of the Director of National Intelligence established pursuant to section 120 of the National Security Act of 1947 (50 U.S.C. 3060) and by other elements of the intelligence community.

(d) FORM.—The update to the climate change roadmap required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex. If the Secretary determines that the inclusion of a classified annex is necessary, the Secretary shall conduct an in-person briefing for Members of the Committees on Armed Services of the Senate and House of Representatives by not later than 90 days after date of the submission of the update.

SEC. 323. COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE INSTALLATION ENERGY.

(a) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the progress of the Department of Defense toward reaching net zero goals, including an agency-wide view and breakdowns of progress by service branch.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include—

(1) an analysis of the extent to which the Department of Defense has implemented net zero initiatives to date and developed a forward-looking integrated net zero strategy for energy, emissions, water, and waste management and the extent to which each of the military departments has implemented such strategy;

(2) a description of the current challenges to implementing net zero initiatives or meeting net zero goals and the degree to which the Department of Defense and the military departments have addressed applied lessons learned;

(3) a cost-benefit analysis of net zero initiatives, including a description of how such costs and benefits are identified, tracked, and validated;

(4) a description of the feasibility of achieving net zero benchmarks of 25 percent, 50 percent, 75 percent, and 100 percent of the energy, emissions, water, and waste management levels for 2020, including anticipated funding requirements, statutory requirements, infrastructure needs, and timeframes; and

(5) an analysis of the integration between energy offices with program offices, budget, and operational planners within the Department of Defense and military departments across the enterprise, and recommendations for improving coordination.

(c) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 324. DEPARTMENT OF DEFENSE REPORT ON EMISSIONS LEVELS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Department of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Comptroller General a report on the total level of emissions for each of the last ten fiscal years. Such emissions levels shall include the agency-wide total, breakdowns by military department, and delineations between installation and operational emissions.

(b) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 325. OBJECTIVES, PERFORMANCE STANDARDS, AND CRITERIA FOR USE OF WILDLIFE CONSERVATION BANKING PROGRAMS.

(a) IN GENERAL.—To ensure opportunities for Department of Defense participation in wildlife conservation banking programs pursuant to section 2694c of title 10, United States Code, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall issue regulations of general applicability establishing objectives, measurable performance standards, and criteria for use, consistent with the Endangered Species Act (16 U.S.C. 1531 et seq.), for mitigation banking offsetting effects on a species, or habitat of such species, that is endangered, threatened, a candidate for listing, or otherwise at risk under such Act. To the maximum extent practicable, the regulatory standards and criteria shall maximize available credits and opportunities for mitigation, provide flexibility for characteristics of various species, and apply equivalent standards and criteria to all mitigation banks.

(b) DEADLINE FOR REGULATIONS.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall publish an advance notice of proposed rulemaking for the regulations required by subsection (a) by not later than one year after the date of the enactment of this Act.

SEC. 326. OFFSHORE WIND ENERGY DEVELOPMENT, MORRO BAY, CALIFORNIA.

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

(1) Since 2016, the Department of Defense and Department of the Navy have been working with State and Federal stakeholders to determine whether a commercial lease for the development of renewable energy off the coast of Morro Bay, California could be developed in a manner that is compatible with the training and readiness requirements of the Department of Defense.

(2) Military readiness and the ability to conduct realistic training are critical to our national security; however, energy security and other ocean uses are also important. These interests should be balanced to the extent practicable when analyzing offshore energy proposals.

(3) In August 2019, Members of Congress, the Assistant Secretary of Defense for Sustainment, senior officials from other Federal agencies, and state and local elected representatives met to discuss a path forward to accommodate wind energy development off the Central Coast of California while ensuring the Department of Defense was able to continue meeting its testing, training, and operational requirements.

(4) Following the initial meeting in August 2019, the stakeholder group continued meeting at roughly monthly intervals through 2019 and into 2020 to discuss options and work towards a mutually agreeable solution for renewable energy development and continued military testing, training, and operational requirements off the Central Coast of California.

(5) In May 2020, the Assistant Secretary of the Navy for Energy, Installations, and Environment notified stakeholders that despite the previous year of negotiations, it was his view any wind energy developments off the Central Coast of California may not be viewed as being compatible with military activities. This unilateral decision was made abruptly, without providing any supporting analysis or acknowledgment of the progress and commitments made during previous negotiations, and was not in the spirit of cooperation and collaboration that had driven the previous nine months of stakeholder engagements.

(6) Stakeholder confidence in the Department of Defense review process is paramount. Abrupt and unilateral changes of course erode confidence and undermine the State, local, and industry trust in a fair, transparent, and predictable adjudication of potential conflicts.

(7) In early 2019, in order to create continuity between the offshore and terrestrial processes, the Department of Defense consolidated its review of proposed energy development projects so that offshore energy proposals were now included in the Military Aviation and Installation Assurance Clearinghouse (the Clearinghouse). The Clearinghouse has a proven record for reviewing proposed energy development projects through a fair and transparent process. The Morro Bay proposal pre-dates this consolidation but underwent a similar Department of Defense led compatibility review.

(8) Congress has generally supported the transparent and fair Clearinghouse review process, as well as all efforts between the Department of Defense and other stakeholders to reach solutions that allow for the development of energy projects in a manner that is compatible with military testing, training, and operational requirements.

(9) Legislating a solution to a specific energy development proposal should only be reserved for rare occasions. Due to Navy's abrupt and unilateral decision to walk away from productive negotiations, after months of good-faith efforts by other stakeholders and public engagement, the threshold for congressional intervention has been reached.

(b) RESPONSIBILITY.—All interaction on behalf of the Department of the Navy with the California Energy Commission, Federal agencies, State and local governments, and potential energy developers regarding proposed offshore wind energy off the central coast of California shall be performed through the Office of the Under Secretary of Defense for Acquisition and Sustainment.

(c) BRIEFING REQUIREMENT; LIMITATION.—

(1) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services and the Committee on Natural Resources of the House of Representatives a briefing on status of the review by the Offshore Energy Working Group of the request to locate at least two offshore wind lease areas proximate to and within the Morro Bay Call Area. Such briefing shall include—

(A) a detailed map that shows any areas identified;

(B) proposed mitigations that would enable compatible development in the areas identified;

(C) any unresolved issues; and

(D) any other terms of the agreement reached with the California Energy Commission, other Federal agencies, State and local governments, and potential energy developers.

(2) LIMITATION.—The Secretary of Defense may not issue a final offshore wind assessment that proposes wind exclusion areas and may not object to an offshore energy project in the Central Coast of California that has filed for review by the Military Aviation and Installation Assurance Clearinghouse until the Secretary provides the briefing required under paragraph (1).

(d) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021, not more than 75 percent may be obligated or expended for the Office of the Assistant Secretary of the Navy for Energy, Installations, and Environment until the date that is 30 days after the date on which the briefing required under subsection (c)(1) is provided.

SEC. 327. LONG-DURATION DEMONSTRATION INITIATIVE AND JOINT PROGRAM.

(a) ESTABLISHMENT OF INITIATIVE.—Not later than January 15, 2021, the Director of the Environmental Security Technology Certification Program of the Department of Defense (hereinafter in this section referred to as the ''Director'') may establish a demonstration initiative composed of demonstration projects focused on the development of long-duration energy storage technologies.

(b) SELECTION OF PROJECTS.—To the maximum extent practicable, in selecting demonstration projects to participate in the demonstration initiative under subsection (a), the Director may—

(1) ensure a range of technology types;

(2) ensure regional diversity among projects; and

(3) consider bulk power level, distribution power level, behind-the-meter, microgrid (grid-connected or islanded mode), and off-grid applications.

(c) JOINT PROGRAM.—

(1) ESTABLISHMENT.—As part of the demonstration initiative under subsection (a), the Director, in consultation with the Secretary of Energy, may establish within the Department of Defense a joint program to carry out projects—

(A) to demonstrate promising long-duration energy storage technologies at different scales to promote energy resiliency; and

(B) to help new, innovative long-duration energy storage technologies become commercially viable.

(2) MEMORANDUM OF UNDERSTANDING.—Not later than 200 days after the date of enactment of this Act, the Director may enter into a memorandum of understanding with the Secretary of Energy to administer the joint program.

(3) INFRASTRUCTURE.—In carrying out the joint program, the Director and the Secretary of Energy may—

(A) use existing test-bed infrastructure at—

(i) installations of the Department of Defense; and

(ii) facilities of the Department of Energy; and

(B) develop new infrastructure for identified projects, if appropriate.

(4) GOALS AND METRICS.—The Director and the Secretary of Energy may develop goals and metrics for technological progress under the joint program consistent with energy resilience and energy security policies.

(5) SELECTION OF PROJECTS.—

(A) IN GENERAL.—To the maximum extent practicable, in selecting projects to participate in the joint program, the Director and the Secretary of Energy may—

(i) ensure that projects are carried out under conditions that represent a variety of environments with different physical conditions and market constraints; and

(ii) ensure an appropriate balance of—

(I) larger, operationally-scaled projects, adapting commercially-proven technology that meets military service defined requirements; and

(II) smaller, lower-cost projects.

(B) PRIORITY.—In carrying out the joint program, the Director and the Secretary of Energy may give priority to demonstration projects that—

(i) make available to the public project information that will accelerate deployment of long-duration energy storage technologies that promote energy resiliency; and

(ii) will be carried out as field demonstrations fully integrated into the installation grid at an operational scale.

SEC. 328. PRIZES FOR DEVELOPMENT OF NON-PFAS-CONTAINING FIRE-FIGHTING AGENT.

(a) AUTHORITY.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Sustainment and the Strategic Environmental Research and Development Program, may carry out a program to award cash prizes and other types of prizes that the Secretary determines are appropriate to recognize outstanding achievements in the development of a non-PFAS-containing fire-fighting agent to replace aqueous film-forming foam with the potential for application to the performance of the military missions of the Department of Defense.

(b) COMPETITION REQUIREMENTS.—A program under subsection (a) shall use a competitive process for the selection of recipients of cash prizes. The process shall include the widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

(c) LIMITATIONS.—The following limitations shall apply to a program under subsection (a):

(1) No prize competition may result in the award of a prize with a fair market value of more than $5,000,000.

(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Assistant Secretary of Defense for Sustainment.

(3) No prize competition may result in the award of a solely nonmonetary prize with a fair market value of more than $10,000 without the approval of the Assistant Secretary of Defense for Sustainment.

(d) RELATIONSHIP TO OTHER AUTHORITY.—A program under subsection (a) may be carried out in conjunction with or in addition to the exercise of any other authority of the Department of Defense.

(e) USE OF PRIZE AUTHORITY.—Use of prize authority under this section shall be considered the use of competitive procedures for the purposes of section 2304 of title 10, United States Code.

(f) PFAS.—In this section, the term ''PFAS'' means—

(1) man-made chemicals of which all of the carbon atoms are fully fluorinated carbon atoms; and

(2) man-made chemicals containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(g) TERMINATION.—The authority to carry out a program under this section shall terminate on October 1, 2024.

SEC. 329. SURVEY OF TECHNOLOGIES FOR DEPARTMENT OF DEFENSE APPLICATION IN PHASING OUT THE USE OF FLUORINATED AQUEOUS FILM-FORMING FOAM.

(a) SURVEY OF TECHNOLOGIES.—The Secretary of Defense shall conduct a survey of relevant technologies, other than fire-fighting agent solutions, to determine whether any such technologies are available and can be adapted for use by the Department of Defense to facilitate the phase-out of fluorinated aqueous film-forming foam. The technologies surveyed under this subsection shall include hangar flooring systems, fire-fighting agent delivery systems, containment systems, and other relevant technologies the Secretary determines appropriate.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the survey conducted under subsection (a). Such report shall include—

(1) a description of the technologies included in the survey;

(2) a list of the technologies that were considered for further testing or analysis; and

(3) any technologies that are undergoing additional analysis for possible application within the Department.

SEC. 330. INTERAGENCY BODY ON RESEARCH RELATED TO PER- AND POLYFLUOROALKYL SUBSTANCES.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish an interagency working group to coordinate Federal activities to advance research and development needed to address PFAS.

(b) AGENCY PARTICIPATION.—The interagency working group shall include a representative of each—

(1) the Environmental Protection Agency;

(2) the National Institute of Environmental Health Sciences;

(3) the Agency for Toxic Substances and Disease Registry;

(4) the National Science Foundation;

(5) the Department of Defense;

(6) the National Institutes of Health;

(7) the National Institute of Standards and Technology;

(8) the National Oceanic and Atmospheric Administration;

(9) the Department of Interior;

(10) the Department of Transportation;

(11) the Department of Homeland Security;

(12) the National Aeronautics and Space Administration;

(13) the National Toxicology Program;

(14) the Department of Agriculture;

(15) the Geological Survey;

(16) the Department of Commerce;

(17) the Department of Energy;

(18) the Office of Information and Regulatory Affairs;

(19) the Office of Management and Budget; and

(20) any such other Federal department or agency as the President considers appropriate.

(c) CO-CHAIRS.—The Interagency working group shall be co-chaired by the Director of the Office of Science and Technology Policy and, on an annual rotating basis, a representative from a Member agency, as selected by the Director of the Office of Science and Technology Policy.

(d) RESPONSIBILITIES OF THE WORKING GROUP.—The interagency working group established under subsection (a) shall—

(1) provide for interagency coordination of Federally funded PFAS research and development; and

(2) not later than 12 months after the date of enactment of this Act, develop a strategic plan for Federal support for PFAS research and development (to be updated not less than every 2 years) that—

(A) identifies all current Federally funded PFAS research and development, including the nature and scope of such research and development and the amount of funding associated with such research and development during the current fiscal year, disaggregated by agency;

(B) identifies scientific and technological challenges that must be addressed to understand and to significantly reduce the environmental and human health impacts of PFAS and to identify cost-effective—

(i) alternatives to PFAS that are designed to be safer and more environmentally friendly;

(ii) methods for removal of PFAS from the environment; and

(iii) methods to safely destroy or degrade PFAS;

(C) establishes goals, priorities, and metrics for Federally funded PFAS research and development that takes into account the current state of research and development identified in paragraph (A) and the challenges identified in paragraph (B); and

(D) an implementation plan for Federal agencies.

(e) CONSULTATION.—In developing the strategic plan under subsection (d), the interagency working group shall consult with states, tribes, territories, local governments, appropriate industries, academic institutions and nongovernmental organizations with expertise in PFAS research and development, treatment, management, and alternative development.

(f) ANNUAL REPORT.—For each fiscal year beginning with fiscal year 2022, not later than 90 days after submission of the President's annual budget request for such fiscal year, the Interagency working group shall prepare and submit to Congress a report that includes—

(1) a summary of Federally funded PFAS research and development for such fiscal year and the preceding fiscal year, including a disaggregation of spending for each participating Federal agency; and

(2) a description of how Federal agencies are implementing the strategic plan described in subsection (d).

(g) PFAS RESEARCH AND DEVELOPMENT.—The term ''PFAS research and development'' includes any research or project that has the goal of accomplishing the following:

(1) The removal of PFAS from the environment.

(2) The safe destruction or degradation of PFAS.

(3) The development and deployment of safer and more environmentally friendly alternative substances that are functionally similar to those made with PFAS.

(4) The understanding of sources of environmental PFAS contamination and pathways to exposure for the public.

(5) The understanding of the toxicity of PFAS to humans and animals.

SEC. 331. RESTRICTION ON PROCUREMENT BY DEFENSE LOGISTICS AGENCY OF CERTAIN ITEMS CONTAINING PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION.—The Director of the Defense Logistics Agency may not procure any covered item containing a perfluoroalkyl substance or polyfluoroalkyl substance.

(b) DEFINITIONS.—In this section:

(1) The term ''covered item'' means—

(A) non-stick cookware or food service ware for use in galleys or dining facilities;

(B) food packaging materials;

(C) furniture or floor waxes;

(D) carpeting, rugs, or upholstered furniture;

(E) personal care items;

(F) dental floss; and

(G) sunscreen.

(2) The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) The term ''polyfluoroalkyl substance'' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 332. STANDARDS FOR REMOVAL OR REMEDIAL ACTIONS WITH RESPECT TO PFOS OR PFOA CONTAMINATION.

(a) IN GENERAL.—In conducting removal or remedial actions pursuant to the Comprehensive

Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or section 332 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) of PFOS or PFOA contamination from Department of Defense or National Guard activities found in drinking water or in groundwater that is not currently used for drinking water, the Secretary of Defense shall ensure that such actions result in a level that meets or exceeds the most stringent of the following standards for PFOS or PFOA in any environmental media:

(1) An enforceable State standard, in effect in that State, for drinking, surface, or ground water, as described in section 121(d)(2)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

(2) An enforceable Federal standard for drinking, surface, or ground water, as described in section 121(d)(2)(A)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(i)).

(3) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(1)(F)).

(b) DEFINITIONS.—In this section:

(1) The term ''PFOA'' means perfluorooctanoic acid.

(2) The term ''PFOS'' means perfluorooctane sulfonate.

(3) The terms ''removal'' and ''remedial action'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(c) SAVINGS CLAUSE.—Except with respect to the specific level required to be met under subsection (a), nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SEC. 333. RESEARCH AND DEVELOPMENT OF ALTERNATIVE TO AQUEOUS FILM-FORMING FOAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the National Institute of Standards and Technology and in consultation with appropriate stakeholders and manufactures, research institutions, and other Federal agencies shall award grants and carry out other activities to—

(1) promote and advance the research and development of additional alternatives to aqueous film-forming foam (in this section referred to as ''AFFF'') containing per- and polyfluoroalkyl substances (in this section referred to as ''PFAS'') to facilitate the development of a military specification and subsequent fielding of a PFAS-free fire-fighting foam;

(2) advance the use of green and sustainable chemistry for a fluorine-free alternative to AFFF;

(3) increase opportunities for sharing best practices within the research and development sector with respect to AFFF;

(4) assist in the testing of potential alternatives to AFFF; and

(5) provide guidelines on priorities with respect to an alternative to AFFF.

(b) ADDITIONAL REQUIREMENTS.—In carrying out the program required under subsection (a), the Secretary shall—

(1) take into consideration the different uses of AFFF and the priorities of the Department of Defense in finding an alternative;

(2) prioritize green and sustainable chemicals that do not pose a threat to public health or the environment; and

(3) use and leverage research from existing Department of Defense programs.

(c) REPORT.—The Secretary shall submit to Congress a report on—

(1) the priorities and actions taken with respect to finding an alternative to AFFF and the implementation of such priorities; and

(2) any alternatives the Secretary has denied, and the reason for any such denial.

(d) USE OF FUNDS.—This section shall be carried out using amounts authorized to be available for the Strategic Environmental Research and Development Program.

SEC. 334. NOTIFICATION TO AGRICULTURAL OPERATIONS LOCATED IN AREAS EXPOSED TO DEPARTMENT OF DEFENSE PFAS USE.

(a) NOTIFICATION REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Agriculture, shall provide a notification described in subsection (b) to any agricultural operation located within 10 square miles of a location where covered PFAS—

(1) has been detected in groundwater;

(2) has been hydrologically linked to a local water source, including a water well; and

(3) is suspected to be, or due to a positive test known to be, the result of the use of PFAS at any installation of the Department of Defense located in the United States or any State-owned facility of the National Guard.

(b) NOTIFICATION REQUIREMENTS.—The notification required under subparagraph (a) shall include:

(1) The name of the Department of Defense or National Guard installation from which the PFAS contamination in groundwater originated.

(2) The specific type of PFAS detected in groundwater.

(3) The detection levels of PFAS detected.

(4) Relevant governmental information regarding the health and safety of the covered PFAS detected, including relevant Federal or State standards for PFAS in groundwater, livestock, food commodities and drinking water, and any known restrictions for sale of agricultural products that have been irrigated or watered with water containing PFAS.

(c) ADDITIONAL TESTING RESULTS.—The Secretary of Defense shall provide to an agricultural operation that receives a notice under subsection (a) any pertinent updated information, including any results of new elevated testing, by not later than 15 days after receiving such information.

(d) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of providing notice under subsection (a). Such report shall include, for the period covered by the report—

(1) the approximate locations of such operations relative to installations of the Department of Defense located in the United States and State-owned facilities of the National Guard;

(2) the PFAS substances detected in groundwater; and

(3) the levels of PFAS detected.

(e) DEFINITIONS.—In this section:

(1) The term ''covered PFAS'' means each of the following:

(A) Perfluorooctanoic acid (commonly referred to as ''PFOA'') (Chemical Abstracts Service No. 335–67–1).

(B) Perfluorooctane sulfonic acid (commonly referred to as ''PFOS'') (Chemical Abstracts Service No. 1763–23–1).

(C) Perfluorobutanesulfonic acid (commonly referred to as ''PFBS'') (Chemical Abstracts Service No. 375-73-5).

(D) Perfluorohexane sulfonate (commonly referred to as ''PFHxs'') (Chemical Abstracts Service No. 108427-53-8).

(E) Perfluoroheptanoic acid (commonly referred to as ''PFHpA'') (Chemical Abstracts Service No. 375-85-9).

(F) Perfluorohexanoic acid (commonly referred to as ''PFHxA'') (Chemical Abstracts Service No. 307-24-4).

(G) Perfluorodecanoic acid (commonly referred to as ''PFDA'') (Chemical Abstracts Service No. 335-76-2).

(H) Perfluorononanoic acid (commonly referred to as ''PFNA'') (Chemical Abstracts Service No. 375-95-1).

(2) The term ''PFAS'' means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom, including the chemical GenX.

SEC. 335. PUBLIC DISCLOSURE OF RESULTS OF DEPARTMENT OF DEFENSE TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) PUBLIC DISCLOSURE OF PFAS TESTING.—The Secretary of Defense shall publicly disclose the results of any testing for perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as ''PFAS'') conducted on military installations or formerly used defense sites, including—

(1) all such testing results conducted by the Department of Defense; and

(2) all such testing results conducted by a non-Department entity (including any Federal agency and any public or private entity) under contract by or pursuant to an agreement with the Department of Defense.

(b) NATURE OF DISCLOSURE.—The Secretary of Defense may satisfy the disclosure requirement under subsection (a) by publishing the information, datasets, and results relating to the testing referred to in such subsection—

(1) on the publicly available website established under section 331(b) of the National Defense Authorization Act of 2020 (Public Law 116–92);

(2) on another publicly available website of the Department of Defense; or

(3) in the Federal Register.

(c) REQUIREMENTS.—The information required to be disclosed by the Secretary of Defense under subsection (a) and published under subsection (b) shall—

(1) constitute a record for the purposes of chapter 21, 29, 31, and 33 of title 44, United States Code; and

(2) include any underlying datasets or additional information of interest to the public, as determined by the Secretary of Defense.

(d) LOCAL NOTIFICATION.—Prior to conducting any testing for perfluoroalkyl or polyfluoroalkyl substances, the Secretary of Defense shall provide to the managers of the public water system and the publicly owned treatment works serving the areas located immediately adjacent to the military installation where such testing is to occur notice in writing of the testing.

(e) DEFINITIONS.—In this section:

(1) The term ''formerly used defense site'' means any site formerly used by the Department of Defense or National Guard eligible for environmental restoration by the Secretary of Defense funded under the ''Environmental Restoration Account, Formerly Used Defense Sites'' account established under section 2703(a)(5) of title 10, United States Code.

(2) The term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

(3) The term ''perfluoroalkyl or polyfluoroalkyl substance'' means any per or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(4) The term ''public water system'' has the meaning given such term under section 1401(4) of the Safe Drinking Water Act (42 U.S.C. 300f(4)).

(5) The term ''treatment works'' has the meaning given such term in section 212(2) of the Federal Water Pollution Control Act (33 U.S.C. 1292(2)).

Subtitle C—Logistics and Sustainment

SEC. 351. NATIONAL DEFENSE SUSTAINMENT AND LOGISTICS REVIEW.

(a) IN GENERAL.—Chapter 2 of title 10, United States Code, is amended by inserting after section 118 the following new section:

''§ 118a. National Defense Sustainment and Logistics Review

''(a) QUADRENNIAL REVIEW REQUIRED.—Two years after the submittal of each national defense strategy under section 113(g) of this title,

the Secretary of Defense shall conduct a comprehensive review of the sustainment and logistics requirements necessary to support the force structure, force modernization, infrastructure, and other elements of the defense program and policies of the United States during the subsequent 5-, 10-, and 25-year periods. Each such review shall be known as the 'National Defense Sustainment and Logistics Review'. Each such review shall be conducted in consultation with the Secretaries of the military departments, the chief of the armed services, the Commander of United States Transportation Command, and the Commander of the Defense Logistics Agency.

''(b) REPORT TO CONGRESS.—(1) Not later than the first Monday in February of the year following the fiscal year during which the review required by subsection (a) is submitted, the Secretary shall submit to the congressional defense committees a report on the review. Each such report shall include each of the following:

''(A) An assessment of the strategic and tactical maritime logistics force (including non-military assets provided by Military Sealift Command and through the Voluntary Intermodal Sealift Agreement) required to support sealift and at sea logistics requirements of forces to meet steady state and contingency requirements.

''(B) An assessment of the strategic and tactical airlift and tankers (including non-military assets provided by the Civil Reserve Air Fleet and through the Voluntary Tanker Agreement) required to support movement of forces to meet steady state and contingency requirements.

''(C) An assessment of the location, configuration, and inventory of prepositioned materiel and equipment programs required to meet steady state and contingency requirements.

''(D) An assessment of the location, infrastructure, and storage capacity for petroleum, oil, and lubricant products, as well as the ability to distribute such products from storage supply points to deployed military forces, required to meet steady state and contingency requirements.

''(E) An assessment of the capabilities, capacity, and infrastructure of the Department of Defense organic industrial base and private sector industrial base required to meet steady-state and surge software and depot maintenance requirements.

''(F) An assessment of the production capability, capacity, and infrastructure, of the Department of Defense organic industrial base and private sector industrial base required to meet steady-state and surge production requirements for ammunition and other military munitions.

''(G) An assessment of the condition, capacity, and location of military infrastructure required to project military forces to meet steady-state and contingency requirements.

''(H) An assessment of the cybersecurity risks to military and commercial logistics networks and information technology systems.

''(I) An assessment of the gaps between the requirements identified under subparagraphs (A) through (H) compared to the actual force structure and infrastructure capabilities, capacity, and posture and the risks associated with each gap as it relates to the ability to meet the national defense strategy.

''(J) A discussion of the identified mitigations being pursued to address each gap and risk identified under subparagraph (I) as well as the initiatives and resources planned to address such gaps, as included in the Department of Defense budget request submitted during the same year as the report and the applicable future-years defense program.

''(K) An assessment of the extent to which wargames conducted by the Department of Defense, Joint Staff, geographic combatant commands, and military departments incorporate logistics capabilities and threats and a description of the logistics constraints to operations identified through such wargames.

''(L) Such other matters the Secretary of Defense considers appropriate.

''(2) The report required under this subsection shall be submitted in classified form and shall include an unclassified summary.

''(c) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the date on which Secretary submits each report required under subsection (b), the Comptroller General shall submit to the congressional defense committees a report that includes an assessment of each of the following:

''(1) Whether the report includes each of the elements referred to in subsection (b).

''(2) The strengths and weaknesses of the approach and methodology used in conducting the review required under subsection (a) that is covered by the report.

''(3) Any other matters relating to sustainment that may arise from the report, as the Comptroller General considers appropriate.

''(d) RELATIONSHIP TO BUDGET.—Nothing in this section shall be construed to affect section 1105(a) of title 31.

''(e) TERMINATION.—The requirement to submit a report under this section shall terminate on the date that is 10 years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 118 the following new item:

''118a. National Defense Sustainment and Logistics Review.''.

(c) DEADLINE FOR SUBMITTAL OF FIRST REPORT.—Notwithstanding the deadline in subsection (b)(1) of section 118a of title 10, United States Code, the Secretary of Defense shall submit the first report under such section by no later than the date that is 18 months after the date of the enactment of this Act.

SEC. 352. EXTENSION OF SUNSET RELATING TO CHARTER AIR TRANSPORTATION SERVICES.

Section 9515(k) of title 10, United States Code, is amended by striking ''2020'' and inserting ''2025''.

SEC. 353. ADDITIONAL ELEMENTS FOR INCLUSION IN NAVY SHIP DEPOT MAINTENANCE BUDGET REPORT.

Section 363(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new paragraphs:

''(6) The execution of the planned schedule, categorized by class of ship, for each of the three preceding fiscal years, including—

''(A) the actual contract award compared to the milestone;

''(B) the planned completion date compared to the actual completion date; and

''(C) each regional maintenance center's availability schedule performance for on-time availability completion.

''(7) In accordance with the findings of the Government Accountability Office (GAO 20-370)—

''(A) in 2021, an analysis plan for the evaluation of pilot program availabilities funded by the Other Procurement, Navy account; and

''(B) in 2022, a report on the Navy's progress implementing such analysis plan.''.

SEC. 354. MODIFICATION TO LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF NAVAL VESSELS.

Section 323(b) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 8690 note) is amended by striking ''In the case of any naval vessel'' and inserting ''In the case of any aircraft carrier, amphibious ship, cruiser, destroyer, frigate, or littoral combat ship''.

SEC. 355. INDEPENDENT ADVISORY PANEL ON WEAPON SYSTEM SUSTAINMENT.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an independent advisory panel (in this section referred to as the ''panel'') on the weapon system sustainment ecosystem. The National Defense University and the Defense Acquisition University shall sponsor the panel, including by providing administrative support.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The panel shall be comprised of nine members, of whom—

(A) five shall be appointed by the Secretary of Defense;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) EXPERTISE.—In making appointments under this subsection, consideration should be given to individuals with expertise in public and private-sector acquisition, sustainment, and logistics policy in aviation, ground, maritime systems, and space systems and their related components.

(3) APPOINTMENT DATE.—The appointment of the members of the panel shall be made not later than 120 days after the date of the enactment of this Act.

(c) DUTIES.—The panel shall—

(1) review the weapon system sustainment ecosystem from development, production, and sustainment of the weapon system through use in the field, depot and field-level maintenance, modification, and disposal with a goal of—

(A) maximizing the availability and mission capabilities of weapon systems;

(B) reducing overall life-cycle costs of weapon systems during fielding, operation and sustainment; and

(C) aligning weapon system sustainment functions to the most recent national defense strategy submitted pursuant to section 113 of title 10, United States Code; and

(2) using information from the review of the weapon system sustainment ecosystem, make recommendations related to statutory, regulatory, policy, or operational best practices the panel considers necessary.

(d) REPORT.—

(1) INTERIM REPORT.—Not later than one year after the date on which all members of the panel have been appointed, the panel shall provide to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a briefing on the interim findings and recommendations of the panel.

(2) FINAL REPORT.—Not later than two years after the date on which all members of the panel have been appointed, the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a report setting for a detailed statement of the findings and conclusions the panel as a result of the review described in subsection (c), together with such recommendations related to statutory, regulatory, policy, or operational practices as the panel considers appropriate in light of the results of the review.

(e) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide the panel with timely access to appropriate information, data, resources, analysis, and logistics support so that the panel may conduct a thorough and independent assessment as required under this section.

(2) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If any member has not been appointed by the date specified in subsection (b)(3), the authority to appoint such member under subsection (b)(1) shall expire, and the number of members of the panel shall be reduced by the number equal to the number of appointments so not made.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members of the panel shall be appointed for the duration of the panel. Any vacancy in the panel

shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) CHAIR.—The panel shall select a Chair from among its members. The Chair may not be a Federal officer or employee.

(f) TERMINATION.—The panel shall terminate 90 days after the date on which the panel submits the report required under subsection (d)(2).

SEC. 356. BIANNUAL BRIEFINGS ON STATUS OF SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN.

(a) BRIEFINGS REQUIRED.—During the period beginning on July 1, 2020, and ending on July 1, 2025, the Secretary of the Navy shall provide to the congressional defense committees biannual briefings on the status of the Shipyard Infrastructure Optimization Plan.

(b) ELEMENTS OF BRIEFINGS.—Each briefing under subsection (a) shall include a discussion of the status of each of the following elements:

(1) A master plan for infrastructure development, including projected military construction and capital equipment projects.

(2) A planning and design update for military construction, minor military construction, and facility sustainment projects over the subsequent five-year period.

(3) A human capital management and development plan.

(4) A workload management plan that includes synchronization requirements for each shipyard and ship class.

(5) Performance metrics and an assessment plan.

(6) A funding and authority plan that includes funding lines across the future years defense program.

SEC. 357. MATERIEL READINESS METRICS AND OBJECTIVES FOR MAJOR WEAPON SYSTEMS.

(a) IN GENERAL.—Section 118 of title 10, United States Code is amended—

*(1) by amending the section heading to read as follows: "**Materiel readiness metrics and objectives for major weapon systems**";*

(2) by striking "Not later than five days" and inserting the following:

"(d) BUDGET JUSTIFICATION.—Not later than five days";

(3) by inserting before subsection (d) (as designated by paragraph (2)) the following new subsections:

"(a) MATERIEL READINESS METRICS.—Each head of an element of the Department specified in paragraphs (1) through (10) of section 111(b) of this title shall establish and maintain materiel readiness metrics to enable assessment of the readiness of members of the armed forces to carry out—

"(1) the strategic framework required by section 113(g)(1)(B)(vii) of this title; and

"(2) guidance issued by the Secretary of Defense pursuant to section 113(g)(1)(B) of this title.

"(b) REQUIRED METRICS.—At a minimum, the materiel readiness metrics required by subsection (a) shall address the materiel availability, operational availability, operational capability, and materiel reliability of each major weapon system by designated mission, design series, variant, or class.

"(c) MATERIEL READINESS OBJECTIVES.—(1) Not later than one year after the date of the enactment of this Act, each head of an element described in subsection (a) shall establish the metrics required by subsection (b) necessary to support the strategic framework and guidance referred to in paragraph (1) and (2) of subsection (a).

"(2) Annually, each head of an element described in subsection (a) shall review and revise the metrics required by subsection (b) and include any such revisions in the materials submitted to Congress in support of the budget of the President under section 1105 of title 31.";

(4) in subsection (d) (as designated by paragraph (2))—

(A) in paragraph (1)—

(i) by striking "materiel reliability, and mean down time metrics for each major weapons system" and inserting "operational availability, and materiel reliability for each major weapon system"; and

(ii) by inserting "and" at the end;

(B) in paragraph (2), by striking "; and" and inserting a period at the end; and

(C) by striking paragraph (3); and

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

"(e) DEFINITIONS.—In this section:

"(1) The term 'major weapon system' has the meaning given in section 2379(f) of this title.

"(2) The term 'materiel availability' means a measure of the percentage of the total inventory of a major weapon system that is operationally capable of performing an assigned mission.

"(3) The term 'materiel reliability' means the probability that a major weapon system will perform without failure over a specified interval.

"(4) The term 'operational availability' means a measure of the percentage of time a major weapon system is operationally capable.

"(5) The term 'operationally capable' means a materiel condition indicating that a major weapon system is capable of performing its assigned mission and has no discrepancies with a subsystem of a major weapon system.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by striking the item relating to section 118 and inserting the following new item:

"118. Materiel readiness metrics and objectives for major defense acquisition programs.".

(c) BRIEFING.—Not later than October 1, 2021, the Secretary of Defense shall brief the congressional defense committees regarding the implementation of the materiel readiness metrics required under section 118 of title 10, United States Code, as amended by subsection (a).

Subtitle D—Munitions Safety and Oversight

SEC. 361. CHAIR OF DEPARTMENT OF DEFENSE EXPLOSIVE SAFETY BOARD.

(a) RESPONSIBILITIES.—Section 172 of title 10, United States Code, is amended by adding at the end the following new subsections:

"(c) RESPONSIBILITIES OF CHAIR.—The chair of the explosive safety board shall carry out the following responsibilities:

"(1) To act as the principal executive representative and advisor of the Secretary on explosive and chemical agent safety matters related to Department of Defense military munitions.

"(2) To perform the hazard classification approval duties assigned to the chair.

"(3) To preside over meetings of the explosive safety board.

"(4) To direct the staff of the explosive safety board.

"(5) To performs other functions relating to explosives safety management, as directed by the Assistant Secretary of Defense for Sustainment.

"(6) To provide impartial and objective advice related to explosives safety management to the Secretary of Defense and the heads of the military departments.

"(7) To serve as the principal representative and advisor of the Department of Defense on matters relating to explosives safety management.

"(8) To provide assistance and advice to the Under Secretary of Defense for Acquisition and Sustainment and the Deputy Director of Land Warfare and Munitions in munitions acquisition oversight and technology advancement for Department of Defense military munitions, especially in the areas of explosives and chemical agent safety and demilitarization.

"(9) To provide assistance and advice to the Assistant Secretary of Defense for Logistics and Material Readiness in sustainment oversight of Department of Defense military munitions, especially in the areas of explosives and chemical agent safety, storage, transportation, and demilitarization.

"(10) To develop and recommend issuances to define the functions of the explosive safety board.

"(11) To establishes joint hazard classification procedures with covered components of the Department.

"(12) To make recommendations to the Under Secretary of Defense for Acquisition and Sustainment with respect to explosives and chemical agent safety tenets and requirements.

"(13) To conducts oversight of Department of Defense explosive safety management programs.

"(14) To carry out such other responsibilities as the Secretary of Defense determines appropriate.

"(d) RESPONSIBILITIES OF EXECUTIVE DIRECTOR AND CIVILIAN MEMBERS.—The executive director and civilian members of the explosive safety board shall—

"(1) provide assistance to the chair in carrying out the responsibilities specified in subsection (c); and

"(2) carry out such other responsibilities as the chair determines appropriate.

"(e) MEETINGS.—(1) The explosive safety board shall meet not less frequently than quarterly.

"(2) The chair shall submit to the congressional defense committees an annual report describing the activities conducted at the meetings of the board.

"(f) EXCLUSIVE RESPONSIBILITIES.—The explosive safety board shall have exclusive responsibility within the Department of Defense for—

"(1) recommending new and updated explosive and chemical agent safety regulations and standards to the Assistant Secretary of Defense for Energy Installations and Environment for submittal to the Under Secretary of Defense for Acquisition and Sustainment; and

"(2) acting as the primary forum for coordination among covered components of the Department on all matters related to explosive safety management.

"(g) COVERED COMPONENTS.—In this section, the covered components of the Department are each of the following:

"(1) The Office of the Secretary of Defense.

"(2) The military departments.

"(3) The Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands.

"(4) The Office of the Inspector General of the Department.

"(5) The Defense Agencies.

"(6) The Department of Defense field activities.

"(7) All other organizational entities within the Department.".

(b) DEADLINE FOR APPOINTMENT.—By not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that the explosive safety board of the Department of Defense, as authorized under section 172 of title 10, United States Code, has a chair who is a military officer and whose responsibilities include the day-to-day management of the explosive safety board and the responsibilities provided in subsection (c) of such section.

(c) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available in this Act for the Office of the Under Secretary of Defense for Acquisition and Sustainment for fiscal year 2021, not more than 75 percent may be obligated or expended until the date on which the Under Secretary of Defense certifies to the congressional defense committees that all board member positions, including the chair, of the Department of Defense explosive safety board, as authorized under section 172 of title 10, United States Code, as amended by this section, have been filled by military officers as required by such section.

SEC. 362. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PROGRAM.

(a) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—Section 2284(b) of title 10, United States Code, as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1)(A)—

(A) by inserting ''and'' before ''integration''; and

(B) by striking ''an Assistant Secretary of Defense'' and inserting ''the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict'';

(2) in paragraph (2), by striking ''to whom responsibility is assigned under paragraph (1)(A)'' and inserting ''for Special Operations and Low Intensity Conflict'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following new paragraph (3):

''(3) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall coordinate with—

''(A) the Under Secretary of Defense for Intelligence on explosive ordnance technical intelligence;

''(B) the Under Secretary of Defense for Acquisition and Sustainment on explosive ordnance disposal research, development, and acquisition;

''(C) the Under Secretary of Defense for Research and Engineering on explosive ordnance disposal research, development, test, and evaluation; and

''(D) the Assistant Secretary of Defense for Homeland Security and Global Security on explosive ordnance disposal on defense support of civil authorities;''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report of the Explosive Ordnance Disposal Defense Program under section 2284 of title 10, United States Code. Such report shall include each of the following:

(1) The status of the establishment and organization of the Program and the compliance with the requirements of such section, as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2020.

(2) An assessment of the feasibility and advisability of designating the Joint Program Executive Officer for Armaments and Ammunition as the joint program executive officer for the explosive ordnance disposal program or establishing a rotation of the role between an Army, Navy, and Air Force entity on a periodic basis.

(3) An assessment of the feasibility and advisability of designating the Director of the Defense Threat Reduction Agency with management responsibility for a Defense-wide program element for explosive ordnance disposal research, development, test, and evaluation transactions other than contracts, cooperative agreements, and grants related to section 2371 of title 10, United States Code, during research projects including rapid prototyping and limited procurement urgent activities and acquisition.

SEC. 363. ASSESSMENT OF RESILIENCE OF DEPARTMENT OF DEFENSE MUNITIONS ENTERPRISE.

(a) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with a federally-funded research and development center with relevant expertise under which such center shall conduct an assessment of the resilience of the Department of Defense munitions enterprise.

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

(1) An identification of the points of failure with respect to the munitions enterprise, including physical locations, materials, suppliers, contractors, and other relevant elements, that, if failure occurs, would have the largest negative impact on the capacity, resiliency, and safety of the enterprise.

(2) An evaluation of the efforts of the Department of Defense to address the points of failure identified under paragraph (1).

(3) Recommendation with respect to any additional efforts or actions that could be taken to provide for mitigation or solutions with respect to such points of failure.

(4) An evaluation of the capacity of the munitions enterprise to support a sudden surge in demand to support a contingency.

(5) An evaluation of the capacity of the munitions enterprise to withstand intentional disruption during a conflict.

(c) REPORT AND BRIEFINGS.—The Secretary shall—

(1) submit to the congressional defense committees a report on the results of assessment conducted under this section by not later than December 31, 2021; and

(2) provide for such committees interim briefings on such assessment upon request.

(d) POINT OF FAILURE.—In this section, the term ''point of failure'' means, with respect to the munitions enterprise, an aspect of the enterprise, that, if it were to fail or be significantly negatively impacted would cause the portion of the enterprise it supports to either fail or be significantly negatively impacted.

SEC. 364. REPORT ON SAFETY WAIVERS AND MISHAPS IN DEPARTMENT OF DEFENSE MUNITIONS ENTERPRISE.

(a) REPORT REQUIRED.—The Secretary shall include with the Department of Defense materials submitted to Congress with the budget of the President for each of fiscal years 2022 through 2025 (as submitted to Congress pursuant to section 1105 of title 31, United States Code), a report on safety waivers provided in the Department of Defense munitions enterprise. Each such report shall include each of the following for the year covered by the report and each of the preceding three years:

(1) A list of each waiver, exemption, and secretarial exemption or certification provided with respect to any Department of Defense munitions safety standard.

(2) For each such waiver, exemption, or certification provided—

(A) the location where the waiver, exemption, or certification was provided;

(B) a summary of the justification used for providing the waiver, exemption, or certification;

(C) the time period during which the waiver, exemption, or certification applies and the number of times such a waiver, exemption, or certification has been provided at that location; and

(D) a list of all safety-related mishaps that occurred at locations where waivers, exemptions, or certifications were in place, and for each such mishap, whether or not a subsequent investigation determined the waiver, exemption, or certification was related or may have been related to the mishap.

(3) A list and summary of all class A-E mishaps related to the construction, storage, transportation, usage, and demilitarization of munitions.

(4) Any mitigation efforts in place at any location where a waiver, exemption, or certification has been provided or where a safety-related mishap has occurred.

(5) Such other matters as the Secretary determines appropriate.

(b) MUNITIONS DEFINED.—In this section, the term ''munitions'' includes ammunition, explosives, and chemical agents.

Subtitle E—Other Matters

SEC. 371. PILOT PROGRAM FOR TEMPORARY ISSUANCE OF MATERNITY-RELATED UNIFORM ITEMS.

(a) PILOT PROGRAM.—The Director of the Defense Logistics Agency, in coordination with the Secretaries concerned, shall carry out a pilot program under which each Secretary concerned shall establish an office for issuing maternity-related uniform items to pregnant members of the Armed Forces, on a temporary basis and at no cost to such member. In carrying out the pilot program, the Director shall take the following actions:

(1) The Director shall ensure that such offices maintain a stock of each type of maternity-related uniform item determined necessary by the Secretary concerned, including service uniforms items, utility uniform items, and other items relating to the command and duty assignment of the member requiring issuance.

(2) The Director shall ensure that such items have not been treated with the chemical permethrin.

(3) The Director, in coordination with the Secretary concerned, shall determine a standard number of maternity-related uniform items that may be issued per member.

(4) The Secretary concerned shall ensure that any member receiving a maternity-related uniform item returns such item to the relevant office established under paragraph (1) on the date on which the Secretary concerned determines the member no longer requires such item.

(5) The Secretary concerned shall inspect, process, repair, clean, and re-stock items returned by a member pursuant to paragraph (4) for re-issuance from such relevant office.

(6) The Director, in coordination with the Secretaries concerned, may issue such guidance and regulations as necessary to carry out the pilot program.

(b) TERMINATION.—No maternity-related uniform items may be issued to a member of the Armed Forces under the pilot program after September 30, 2026.

(c) REPORT.—Not later than September 30, 2025, the Director of the Defense Logistics Agency, in coordination with the Secretaries concerned, shall submit to the congressional defense committees a report on the pilot program. Such report shall include each of the following:

(1) For each year during which the pilot program was carried out, the number of members of the Armed Forces who received a maternity-related uniform item under the pilot program.

(2) An overview of the costs associated with, and any savings realized by, the pilot program, including a comparison of the cost of maintaining a stock of maternity-related uniform items for issuance under the pilot program versus the cost of providing allowances to members for purchasing such items.

(3) A recommendation on whether the pilot program should be extended after the date of termination under subsection (b) and whether legislation is necessary for such extension.

(4) Any other matters that the Secretary of Defense determines appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for operation and maintenance, Defense-wide, for fiscal year 2021, as specified in the funding table in section 4301, $10,000,000 shall be available for implementation of the pilot program.

SEC. 372. SERVICEWOMEN'S COMMEMORATIVE PARTNERSHIPS.

(a) IN GENERAL.—The Secretary of the Army may enter into a contract, partnership, or grant with a non-profit organization for the purpose of providing financial support for the maintenance and sustainment of infrastructure and facilities at military service memorials and museums that highlight the role of women in the military. Such a contract, partnership, or grant shall be referred to as a ''Servicewomen's Commemorative Partnership''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal year 2021, as identified in division D of this Act, $3,000,000 shall be available for Servicewomen's Commemorative Partnerships under subsection (a).

SEC. 373. BIODEFENSE ANALYSIS AND BUDGET SUBMISSION.

(a) ANNUAL ANALYSIS.—For each fiscal year, the Director of the Office of Management and Budget shall—

(1) conduct a detailed and comprehensive analysis of Federal biodefense programs; and

(2) develop an integrated biodefense budget submission.

(b) DEFINITION OF BIODEFENSE.—In accordance with the National Biodefense Strategy, the Director shall develop and disseminate to all Federal departments and agencies a unified definition of the term ''biodefense'' to identify which programs and activities are included in annual budget submission referred to in subsection (a).

(c) REQUIREMENTS FOR ANALYSIS.—The analysis required under subsection (a) shall include—

(1) the display of all funds requested for biodefense activities, both mandatory and discretionary, by agency and categorized by biodefense enterprise element, including threat awareness, prevention, deterrence, preparedness, surveillance and detection, response, attribution (including bioforensic capabilities), recovery, and mitigation; and

(2) detailed explanations of how each program and activity included aligns with biodefense goals.

(d) SUBMITTAL TO CONGRESS.— The Director shall submit to Congress the analysis required under subsection (a) for a fiscal year concurrently with the President's annual budget request for that fiscal year.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2021, as follows:

(1) The Army, 485,900.

(2) The Navy, 347,800.

(3) The Marine Corps, 184,100.

(4) The Air Force, 327,266.

(5) The Space Force, 6,434.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 485,900.

''(2) For the Navy, 347,800.

''(3) For the Marine Corps, 184,100.

''(4) For the Air Force, 327,266.

''(5) For the Space Force, 6,434.''.

SEC. 403. MODIFICATION OF THE AUTHORIZED NUMBER AND ACCOUNTING METHOD FOR SENIOR ENLISTED PERSONNEL.

(a) IN GENERAL.—Section 517 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**daily average**'' and inserting ''**enlisted end strength**''; and

(2) in subsection (a)—

(A) by striking ''daily average number of'' and inserting ''end strength for'';

(B) by striking ''in a fiscal year'' and inserting ''as of the last day of a fiscal year'';

(C) by striking ''2.5 percent'' and inserting ''3.0 percent''; and

(D) by striking ''on the first day of that fiscal year''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 517 and inserting the following new item:

''517. Authorized enlisted end strength: members in pay grades E–8 and E–9.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2021, as follows:

(1) The Army National Guard of the United States, 336,500.

(2) The Army Reserve, 189,800.

(3) The Navy Reserve, 58,800.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 108,100.

(6) The Air Force Reserve, 70,300.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2021, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,595.

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,215.

(4) The Marine Corps Reserve, 2,386.

(5) The Air National Guard of the United States, 25,333.

(6) The Air Force Reserve, 5,256.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2021 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 10,994.

(4) For the Air Force Reserve, 7,947.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2021, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in the subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2021.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTH: EXCLUSION OF CERTAIN GENERAL AND FLAG OFFICERS OF THE RESERVE COMPONENTS ON ACTIVE DUTY.

Section 526a of title 10, United States Code, is amended—

(1) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively; and

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

''(c) EXCLUSION OF CERTAIN OFFICERS OF THE RESERVE COMPONENTS.—The limitations of this section do not apply to the following:

''(1) A general or flag officer of a reserve component who is on active duty—

''(A) for training; or

''(B) under a call or order specifying a period of less than 180 days.

''(2)(A) A general or flag officer of a reserve component who is authorized by the Secretary of the military department concerned to serve on active duty for a period of at least 180 days and not longer than 365 days.

''(B) The Secretary of the military department concerned may authorize a number, determined under subparagraph (C), of officers in the reserve component of each armed force under the jurisdiction of that Secretary to serve as described in subparagraph (A).

''(C) Each number described in subparagraph (B) may not exceed 10 percent of the number of general or flag officers, as the case may be, authorized to serve in the armed force concerned under section 12004 of this title. In determining a number under this subparagraph, any fraction shall be rounded down to the next whole number that is greater than zero.

''(3)(A) A general or flag officer of a reserve component who is on active duty for a period longer than 365 days and not longer than three years.

''(B) The number of officers described in subparagraph (A) who do not serve in a position that is a joint duty assignment for purposes of chapter 38 of this title may not exceed five per armed force, unless authorized by the Secretary of Defense.''.

SEC. 502. DIVERSITY IN SELECTION BOARDS.

(a) REQUIREMENT FOR DIVERSE MEMBERSHIP OF ACTIVE DUTY SELECTION BOARDS.—

(1) OFFICERS.—Section 612(a)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(2) WARRANT OFFICERS.—Section 573(b) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(b) REQUIREMENT FOR DIVERSE MEMBERSHIP OF RESERVE COMPONENTS SELECTION BOARDS.—Section 14102(b) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(c) OTHER SELECTION BOARDS.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that the members of each selection board described in paragraph (2) represent the diversity of the armed forces to the extent practicable.

(2) SELECTION BOARD DESCRIBED.—A selection board described in this paragraph (1) is any selection board used with respect to the promotion, education, or command assignments of members of the Armed Forces that is not covered by the amendments made by this section.

SEC. 503. REDACTION OF PERSONALLY IDENTIFIABLE INFORMATION FROM RECORDS FURNISHED TO A PROMOTION BOARD.

(a) ACTIVE-DUTY OFFICERS.—Section 615(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively;

(2) in the matter preceding subparagraph (A), as redesignated, by inserting ''(1)'' before ''The Secretary'';

(3) in subparagraph (C), as redesignated, by striking ''whose name is furnished to the board'' and inserting ''under consideration by the board for promotion'';

(4) by striking subparagraph (B), as redesignated, and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively; and

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

''(2) The Secretary of the military department concerned shall redact any personally identifiable information from the information furnished to a selection board under this section.''.

(b) RESERVE OFFICERS.—Section 14107(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) in the matter preceding subparagraph (A), as redesignated, by inserting ''(1)'' before ''The Secretary'';

(3) in subparagraph (C), as redesignated, by striking ''whose name is furnished to the board'' and inserting ''under consideration by the board for promotion'';

(4) by striking subparagraph (B), as redesignated, and redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

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

''(2) The Secretary of the military department concerned shall redact any personally identifiable information from the information furnished to a promotion board under this section.''.

(c) ENLISTED MEMBERS.—Each Secretary of a military department shall prescribe regulations that require the redaction of any personally identifiable information from the information furnished to a board that considers for promotion an enlisted member of an Armed Force under the jurisdiction of that Secretary.

Subtitle B—Reserve Component Management

SEC. 511. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) PROGRAM AUTHORITY.—

(1) IN GENERAL.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2036. Grants to support science, technology, engineering, and mathematics education

''(a) AUTHORITY.—The Secretary, in consultation with the Secretary of Education, may carry out a program to make grants to eligible entities to assist such entities in providing education in covered subjects to students in the Junior Reserve Officers' Training Corps.

''(b) COORDINATION.—In carrying out a program under subsection (a), the Secretary may coordinate with the following:

''(1) The Secretaries of the military departments.

''(2) The Secretary of Education.

''(3) The Director of the National Science Foundation.

''(4) The Administrator of the National Aeronautics and Space Administration.

''(5) The heads of such other Federal, State, and local government entities the Secretary of Defense determines to be appropriate.

''(6) Private sector organizations as the Secretary of Defense determines appropriate.

''(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

''(1) Training and other support for instructors to teach courses in covered subjects to students.

''(2) The acquisition of materials, hardware, and software necessary for the instruction of covered subjects.

''(3) Activities that improve the quality of educational materials, training opportunities, and curricula available to students and instructors in covered subjects.

''(4) Development of travel opportunities, demonstrations, mentoring programs, and informal education in covered subjects for students and instructors.

''(5) Students' pursuit of certifications in covered subjects.

''(d) PREFERENCE.—In making any grants under this section, the Secretary shall give preference to eligible entities that are eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

''(e) EVALUATIONS.—In carrying out a program under this section, the Secretary shall establish outcome-based metrics and internal and external assessments to evaluate the merits and benefits of the activities funded with grants under this section with respect to the needs of the Department of Defense.

''(f) AUTHORITIES.—In carrying out a program under this section, the Secretary shall, to the extent practicable, make use of the authorities under chapter 111 and sections 2601 and 2605 of this title, and other authorities the Secretary determines appropriate.

''(g) DEFINITIONS.—In this section:

''(1) The term 'eligible entity' means a local education agency that hosts a unit of the Junior Reserve Officers' Training Corps.

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

''(A) science;

''(B) technology;

''(C) engineering;

''(D) mathematics;

''(E) computer science;

''(F) computational thinking;

''(G) artificial intelligence;

''(H) machine learning;

''(I) data science;

''(J) cybersecurity;

''(K) robotics;

''(L) health sciences; and

''(M) other subjects determined by the Secretary of Defense to be related to science, technology, engineering, and mathematics.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 102 of such title is amended by adding at the end the following new item:

''2036. Grants to support science, technology, engineering, and mathematics education.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on any activities carried out under section 2036 of title 10, United States Code (as added by subsection (a)).

(2) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this subsection, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 512. MODIFICATION OF EDUCATION LOAN REPAYMENT PROGRAM FOR MEMBERS OF SELECTED RESERVE.

(a) MODIFICATION OF MAXIMUM REPAYMENT AMOUNT.—Section 16301(b) of title 10, United States Code, is amended by striking ''15 percent or $500'' and inserting ''20 percent or $1,000''.

(b) EFFECTIVE DATE AND APPLICABILITY.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to loan repayment under section 16301 of title 10, United States Code, for eligible years of service completed on or after the date of the enactment of this Act.

SEC. 513. REQUIREMENT OF CONSENT OF THE CHIEF EXECUTIVE OFFICER FOR CERTAIN FULL-TIME NATIONAL GUARD DUTY PERFORMED IN A STATE, TERRITORY, OR THE DISTRICT OF COLUMBIA.

Section 502(f)(2)(A) of title 32, United States Code, is amended by inserting ''and performed inside the United States with the consent of the chief executive officer of the State (as that term is defined in section 901 of this title)'' after ''Defense''.

SEC. 514. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS WHO CANNOT COMPLETE MINIMUM ANNUAL TRAINING REQUIREMENTS AS A RESULT OF THE COVID–19 PANDEMIC.

(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary, in computing retired pay pursuant to section 12733 of title 10, United States Code, may approve constructive credit, in addition to points earned under section 12732(a)(2) of such title, for a member of the reserve components of the Armed Forces who cannot complete minimum annual training requirements due to cancellation or other extenuating circumstance arising from the covered national emergency.

(b) REPORTING.—

(1) REPORT REQUIRED.—Not later than one year after the date on which the covered national emergency ends, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under subsection (a).

(2) ELEMENTS.—The report under this subsection shall include, with respect to each reserve component, the following:

(A) The number of individuals granted constructive credit as a result of a training cancellation.

(B) The number of individuals granted constructive credit as a result of another extenuating circumstance.

(C) Recommendations of the Secretary whether the authority under subsection (a) should be made permanent and under what circumstances such permanent authority should apply.

(3) PUBLICATION.—Not later than 30 days after submitting the report under paragraph (1), the Secretary shall—

(A) publish the report on a publicly accessible website of the Department of Defense; and

(B) ensure that any data in the report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(c) COVERED NATIONAL EMERGENCY DEFINED.—In this section, the term ''covered national emergency'' means the national emergency declared on March 13, 2020, by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19.

SEC. 515. GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD.

(a) NEW GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue new guidance that provides for the expedited review of requests for the use of unmanned aircraft systems by the National Guard for covered activities within the United States.

(b) COVERED ACTIVITIES DEFINED.—In this section, ''covered activities'' means the following:

(1) Emergency operations.

(2) Search and rescue operations.

(3) Defense support to civil authorities.

(4) Support under section 502(f) of title 32, United States Code.

SEC. 516. DIRECT EMPLOYMENT PILOT PROGRAM FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members of the National Guard and Reserves in reserve active-status.

(b) ADMINISTRATION.—Any such pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code, or other officials in the States concerned designated by the Secretary for purposes of the pilot program.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in that State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 50 percent of the funds provided by the Secretary to the State under this section.

(d) DEVELOPMENT.—In developing any such pilot program, the Secretary shall—

(1) incorporate elements of State direct employment programs for members of the reserve components; and

(2) use resources provided to members of the Armed Forces with civilian training opportunities through the SkillBridge transition training program administered by the Department of Defense.

(e) DIRECT EMPLOYMENT PROGRAM MODEL.—Any such pilot program shall use a job placement program model that focuses on working one-on-one with eligible members to cost-effectively provide job placement services, including—

(1) identifying unemployed and underemployed individuals;

(2) job matching services;

(3) resume editing;

(4) interview preparation; and

(5) post-employment follow up.

(f) EVALUATION.—The Secretary shall develop outcome metrics to evaluate the success of any such pilot program.

(g) REPORTING.—

(1) REPORT REQUIRED.—If the Secretary carries out the pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program not later than March 1, 2022. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components of the Armed Forces hired and the cost-per-placement of participating members.

(B) An assessment of the effects of the pilot program and increased reserve component employment on the readiness of members of the reserve components and on the retention of members.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense to provide unemployment or underemployment support to members of the reserve components of the Armed Forces, including the best practices developed through and used in such programs.

(D) Any other matters the Secretary of Defense determines appropriate.

(h) DURATION; EXTENSION.—

(1) Subject to paragraph (2), the authority to carry out the pilot program expires on September 30, 2024.

(2) The Secretary may elect to extend the pilot program for not more than two additional fiscal years.

SEC. 517. TEMPORARY LIMITATION ON AUTHORITY TO TRANSFER, RELOCATE, OR DISSOLVE ELEMENTS OF THE RESERVE COMPONENTS OF THE AIR FORCE.

(a) LIMITATION.—The Secretary of the Air Force may not transfer or relocate any personnel or asset, or dissolve any unit, of the Air National Guard or Air Force Reserve until the latter of the following occurs:

(1) The day that is 180 days after the date on which the Secretary of the Air Force submits the report under subsection (b).

(2) The Chief of Space Operations certifies in writing to the Secretary of the Air Force that plans of the Secretary to establish the reserve components of the Space Force shall not diminish space capability of the Department of the Air Force.

(b) REPORT REQUIRED.—Not later than January 31, 2021, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the plan of the Secretary to establish the reserve components of the Space Force. The report shall identify the following:

(1) The assumptions and factors used to develop the plan.

(2) The members of the team that issued recommendations regarding the organization of such reserve components.

(3) The recommendations of the Secretary regarding the mission, organization, and unit retention of such reserve components.

(4) The final organizational and integration recommendations regarding such reserve components.

(5) The proposed staffing and operational organization for such reserve components.

(6) The estimated date of implementation of the plan.

(7) Any savings or costs arising from the preservation of existing space-related force structures in the Air National Guard.

SEC. 518. PILOT PROGRAMS IN CONNECTION WITH SROTC UNITS AND CSPI PROGRAMS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) PILOT PROGRAMS REQUIRED.—The Secretary of Defense may carry out two pilot programs as follows:

(1) A pilot program, with elements as provided for in subsection (c), at covered institutions in order to assess the feasibility and advisability of mechanisms to reduce barriers to participation in the Senior Reserve Officers' Training Corps at such institutions by creating partnerships between satellite or extension Senior Reserve Officers' Training Corps units at such institutions and military installations.

(2) In consultation with the Secretary of Homeland Security, a pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of the provision of financial assistance to members of the Senior Reserve Officers' Training Corps, and members of the Coast Guard College Student Pre-Commissioning Initiative, at covered institutions for participation in flight training.

(b) DURATION.—The duration of each pilot program under subsection (a) may not exceed five years.

(c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN SATELLITE OR EXTENSION SROTC UNITS AND MILITARY INSTALLATIONS.—

(1) PARTICIPATING INSTITUTIONS.—The Secretary of Defense shall carry out the pilot program required by subsection (a)(1) at not fewer than five covered institutions selected by the Secretary for purposes of the pilot program.

(2) REQUIREMENTS FOR SELECTION.—Each covered institution selected by the Secretary for purposes of the pilot program under subsection (a)(1) shall—

(A) currently maintain a satellite or extension Senior Reserve Officers' Training Corps unit under chapter 103 of title 10, United States Code, that is located more than 20 miles from the host unit of such unit; or

(B) establish and maintain a satellite or extension Senior Reserve Officers' Training Corps unit that meets the requirements in subparagraph (A).

(3) PREFERENCE IN SELECTION OF INSTITUTIONS.—In selecting covered institutions under this subsection for participation in the pilot program under subsection (a)(1), the Secretary shall give preference to covered institutions that are located within 20 miles of a military installation of the same Armed Force as the host unit of the Senior Reserve Officers' Training Corps of the covered institution concerned.

(4) PARTNERSHIP ACTIVITIES.—The activities conducted under the pilot program under subsection (a)(1) between a satellite or extension Senior Reserve Officers' Training Corps unit and the military installation concerned shall include such activities designed to reduce barriers to participation in the Senior Reserve Officers' Training Corps at the covered institution concerned as the Secretary considers appropriate, including measures to mitigate travel time and expenses in connection with receipt of Senior Reserve Officers' Training Corps instruction.

(d) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR SROTC AND CSPI MEMBERS FOR FLIGHT TRAINING.—

(1) ELIGIBILITY FOR PARTICIPATION BY SROTC AND CSPI MEMBERS.—A member of a Senior Reserve Officers' Training Corps unit, or a member of a Coast Guard College Student Pre-Commissioning Initiative program, at a covered institution may participate in the pilot program under subsection (a)(2) if the member meets such academic requirements at the covered institution, and such other requirements, as the Secretary shall establish for purposes of the pilot program.

(2) PREFERENCE IN SELECTION OF PARTICIPANTS.—In selecting members under this subsection for participation in the pilot program under subsection (a)(2), the Secretary shall give a preference to members who will pursue flight training under the pilot program at a covered institution.

(3) FINANCIAL ASSISTANCE FOR FLIGHT TRAINING.—

(A) IN GENERAL.—The Secretary may provide any member of a Senior Reserve Officers' Training Corps unit or a College Student Pre-Commissioning Initiative program who participates in the pilot program under subsection (a)(2) financial assistance to defray, whether in whole or in part, the charges and fees imposed on the member for flight training.

(B) FLIGHT TRAINING.—Financial assistance may be used under subparagraph (A) for a course of flight training only if the course meets Federal Aviation Administration standards and is approved by the Federal Aviation Administration and the applicable State approving agency.

(C) USE.—Financial assistance received by a member under subparagraph (A) may be used only to defray the charges and fees imposed on the member as described in that subparagraph.

(D) CESSATION OF ELIGIBILITY.—Financial assistance may not be provided to a member under subparagraph (A) as follows:

(i) If the member ceases to meet the academic and other requirements established pursuant to paragraph (1).

(ii) If the member ceases to be a member of the Senior Reserve Officers' Training Corps or the College Student Pre-Commissioning Initiative, as applicable.

(e) EVALUATION METRICS.—The Secretary of Defense shall establish metrics to evaluate the effectiveness of the pilot programs under subsection (a).

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the commencement of the pilot programs under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs. The report shall include the following:

(A) A description of each pilot program, including in the case of the pilot program under subsection (a)(2) the requirements established pursuant to subsection (d)(1).

(B) The evaluation metrics established under subsection (e).

(C) Such other matters relating to the pilot programs as the Secretary considers appropriate.

(2) ANNUAL REPORT.—Not later than 90 days after the end of each fiscal year in which the Secretary carries out the pilot programs, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(A) In the case of the pilot program required by subsection (a)(1), a description of the partnerships between satellite or extension Senior Reserve Officers' Training Corps units and military installations under the pilot program.

(B) In the case of the pilot program required by subsection (a)(2), the following:

(i) The number of members of Senior Reserve Officers' Training Corps units, and the number of members of Coast Guard College Student Pre-Commissioning Initiative programs, at covered institutions selected for purposes of the pilot program, including the number of such members participating in the pilot program.

(ii) The number of recipients of financial assistance provided under the pilot program, including the number who—

(I) completed a ground school course of instruction in connection with obtaining a private pilot's certificate;

(II) completed flight training, and the type of training, certificate, or both received;

(III) were selected for a pilot training slot in the Armed Forces;

(IV) initiated pilot training in the Armed Forces; or

(V) successfully completed pilot training in the Armed Forces.

(iii) The amount of financial assistance provided under the pilot program, broken out by covered institution, course of study, and such other measures as the Secretary considers appropriate.

(C) Data collected in accordance with the evaluation metrics established under subsection (e).

(3) FINAL REPORT.—Not later than 180 days prior to the completion of the pilot programs, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs. The report shall include the following:

(A) A description of the pilot programs.

(B) An assessment of the effectiveness of each pilot program.

(C) A description of the cost of each pilot program, and an estimate of the cost of making each pilot program permanent.

(D) An estimate of the cost of expanding each pilot program throughout all eligible Senior Reserve Officers' Training Corps units and College Student Pre-Commissioning Initiative programs.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot programs, including recommendations for extending or making permanent the authority for each pilot program.

(g) DEFINITIONS.—In this section:

(1) The term ''covered institution'' has the meaning given that term in section 262(g)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) The term ''flight training'' means a course of instruction toward obtaining any of the following:

(A) A private pilot's certificate.

(B) A commercial pilot certificate.

(C) A certified flight instructor certificate.

(D) A multi-crew pilot's license.

(E) A flight instrument rating.

(F) Any other certificate, rating, or pilot privilege the Secretary considers appropriate for purposes of this section.

(3) The term ''military installation'' means an installation of the Department of Defense for the regular components of the Armed Forces.

Subtitle C—General Service Authorities and Correction of Military Records

SEC. 521. TEMPORARY AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY ASSIGNMENTS DURING WAR OR NATIONAL EMERGENCY.

Section 688a of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

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

''(g) EXCEPTION DURING PERIOD OF WAR OR NATIONAL EMERGENCY.—The limitations in subsections (c) and (f) shall not apply during time of war declared by Congress or of national emergency declared by the President.''.

SEC. 522. REENLISTMENT WAIVERS FOR PERSONS SEPARATED FROM THE ARMED FORCES WHO COMMIT ONE MISDEMEANOR CANNABIS OFFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations that permit any Secretary of a military department to grant a reenlistment waiver to a covered person if the Secretary determines that the reenlistment of that covered person is vital to the national interest.

(b) DEFINITIONS.—In this section:

(1) The term ''covered person'' means an individual—

(A) who has been separated, discharged, dismissed, or released from the Armed Forces; and

(B) who has admitted to or been convicted by a court of competent jurisdiction of a single violation—

(i) of any law of a State or the United States relating to the use or possession of cannabis;

(ii) that constitutes a misdemeanor; and

(iii) that occurred while that individual was not performing active service.

(2) The terms ''active service'' and ''military department'' have the meanings given such terms in section 101 of title 10, United States Code.

SEC. 523. REVIEW OF SEAMAN TO ADMIRAL-21 PROGRAM; CREDIT TOWARDS RETIREMENT.

(a) REVIEW.—The Secretary of the Navy shall review personnel records of all participants in the Seaman to Admiral-21 program during fiscal years 2010 through 2014 to determine whether each participant acknowledged, before entering a baccalaureate degree program, that service during the baccalaureate degree program would not be included when computing years of service for retirement.

(b) CREDIT.—For each participant described in subsection (a) for whom the Secretary cannot find evidence of an acknowledgment described in that subsection, the Secretary shall include service during the baccalaureate degree program when computing—

(1) years of service; and

(2) retired or retainer pay.

(c) REPORT REQUIRED.—The Secretary shall submit a report to the Committees on Armed Services of the Senate and House of Representatives regarding the results of the review under subsection (a) and the number of participants credited with service under subsection (b).

(d) DEADLINE.—The Secretary of the Navy shall carry out this section not later than 180 days after the date of the enactment of this Act.

Subtitle D—Military Justice and Other Legal Matters

SEC. 531. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.

(a) VIOLENT EXTREMISM.—

(1) IN GENERAL.—Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 916 (article 116 of the Uniform Code of Military Justice) the following new section (article):

''§ 916a. Art. 116a. Violent extremism

''(a) PROHIBITION.—Any person subject to this chapter who—

''(1) knowingly commits a covered offense against—

''(A) the Government of the United States; or

''(B) any person or class of people;

''(2)(A) with the intent to intimidate or coerce any person or class of people; or

''(B) with the intent to influence, affect, or retaliate against the policy or conduct of the Government of the United States or any State; and

''(3) does so—

''(A) to achieve political, ideological, religious, social, or economic goals; or

''(B) in the case of an act against a person or class of people, for reasons relating to the race, religion, color, ethnicity, sex, age, disability status, national origin, sexual orientation, or gender identity of the person or class of people concerned;

is guilty of violent extremism and shall be punished as a court-martial may direct.

''(b) ATTEMPTS, SOLICITATION, AND CONSPIRACY.—Any person who attempts, solicits, or conspires to commit an offense under this section shall be punished in the same manner as a person who completes the offense.

''(c) DEFINITIONS.—In this section:

''(1) COVERED OFFENSE.—The term 'covered offense' means—

''(A) loss, damage, destruction, or wrongful disposition of military property of the United States, in violation of section 908 of this title (article 108);

''(B) waste, spoilage, or destruction of property other than military property of the United States, in violation of section 909 of this title (article 109);

''(C) communicating threats, in violation of section 915 of this title (article 115);

''(D) riot or breach of peace, in violation of section 916 of this title (article 116);

''(E) provoking speech or gestures, in violation of section 917 of this title (article 117);

''(F) murder, in violation of section 918 of this title (article 118);

''(G) manslaughter, in violation of section 919 of this title (article 119);

''(H) larceny or wrongful appropriation, in violation of section 921 of this title (article 121);

''(I) robbery, in violation of section 922 of this title (article 122);

''(J) kidnapping, in violation of section 925 of this title (article 125);

''(K) assault, in violation of section 928 of this title (article 128);

''(L) conspiracy to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 881 of this title (article 81);

''(M) solicitation to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 882 of this title (article 82); or

''(N) an attempt to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 880 of this title (article 80).

''(2) STATE.—The term 'State' includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 916 (article 116) the following new item:

''916a. 116a. Violent extremism.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to offenses committed on or after such date.

SEC. 532. PRESERVATION OF COURT-MARTIAL RECORDS.

Section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(d) PRESERVATION OF COURT-MARTIAL RECORDS WITHOUT REGARD TO OUTCOME.—The standards and criteria prescribed by the Secretary of Defense under subsection (a) shall provide for the preservation of general and special court-martial records, without regard to the outcome of the proceeding concerned, for not fewer than 15 years.''.

SEC. 533. ELECTRONIC NOTARIZATION FOR MEMBERS OF THE ARMED FORCES.

Section 1044a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A person named in subsection (b) may exercise the powers described in subsection (a) through electronic means, including under circumstances where the individual with respect to whom such person is performing the notarial act is not physically present in the same location as such person.

''(2) A determination of the authenticity of a notarial act authorized in this section shall be made without regard to whether the notarial act was performed through electronic means.

''(3) A log or journal of a notarial act authorized in this section shall be considered for evidentiary purposes without regard to whether the log or journal is in electronic form.''.

SEC. 534. CLARIFICATIONS REGARDING SCOPE OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) CLARIFICATION REGARDING DEFINITION OF RIGHTS AND BENEFITS.—Section 4303(2) of title 38, United States Code, is amended—

(1) by inserting ''(A)'' before ''The term''; and

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

''(B) Any procedural protections or provisions set forth in this chapter shall also be considered a right or benefit subject to the protection of this chapter.''.

(b) CLARIFICATION REGARDING RELATION TO OTHER LAW AND PLANS FOR AGREEMENTS.—Section 4302 of such title is amended by adding at the end the following:

''(c)(1) Pursuant to this section and the procedural rights afforded by subchapter III of this chapter, any agreement to arbitrate a claim under this chapter is unenforceable, unless all parties consent to arbitration after a complaint on the specific claim has been filed in court or with the Merit Systems Protection Board and all parties knowingly and voluntarily consent to have that particular claim subjected to arbitration.

''(2) For purposes of this subsection, consent shall not be considered voluntary when a person is required to agree to arbitrate an action, complaint, or claim alleging a violation of this chapter as a condition of future or continued employment, advancement in employment, or receipt of any right or benefit of employment.''.

SEC. 535. ABSENTEE BALLOT TRACKING PROGRAM.

(a) ESTABLISHMENT AND OPERATION OF PROGRAM.—Section 102(h) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(h)) is amended to read as follows:

''(h) ABSENTEE BALLOT TRACKING PROGRAM.—

''(1) REQUIRING ESTABLISHMENT AND OPERATION OF PROGRAM.—The chief State election official, in coordination with local election jurisdictions, shall establish and operate an absentee ballot tracking program described in paragraph (2) for the use of absent uniformed services voters and overseas voters.

''(2) PROGRAM DESCRIBED.—

''(A) INFORMATION ON TRANSMISSION AND RECEIPT OF ABSENTEE BALLOTS.—An absentee ballot tracking program described in this paragraph is a program under which—

''(i) the State or local election official responsible for the transmission of absentee ballots in an election for Federal office operates procedures to track and confirm the transmission of such ballots and to make information on the transmission of such a ballot available by means of online access using the Internet site of the official's office; and

''(ii) the State or local election official responsible for the receipt of absentee ballots in an election for Federal office operates procedures to track and confirm the receipt of such ballots and (subject to subparagraph (B)) to make information on the receipt of such a ballot available by means of online access using the Internet site of the official's office.

''(B) SPECIFIC INFORMATION ON RECEIPT OF VOTED ABSENTEE BALLOTS.—The information required to be made available under clause (ii) of subparagraph (A) with respect to the receipt of a voted absentee ballot in an election for Federal office shall include information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor. The appropriate State or local election official shall make the information described in the previous sentence available during the 30-day period that begins on the date on which the results of the election are certified, or during such earlier 30-day period as the official may provide.

''(3) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—A program established and operated by a State or local election official whose office does not have an Internet site may meet the requirements of paragraph (2) if the official has established and operates a toll-free telephone number that may be used to obtain the information on the transmission or receipt of the absentee ballot which is required under such paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an election held during 2022 or any succeeding year.

SEC. 536. TRACKING MECHANISM AND REPORTING REQUIREMENTS FOR SUPREMACIST, EXTREMIST, AND CRIMINAL GANG ACTIVITY IN THE ARMED FORCES.

(a) PROCESS REQUIRED.—The Secretary of Defense shall develop and implement a process to track investigations, criminal and administrative actions, and final determinations with respect to conduct of members of the covered Armed Forces that is prohibited under Department of Defense Instruction 1325.06, titled ''Handling Dissident and Protest Activities Among Members of the Armed Forces'', or any successor instruction.

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

(1) A mechanism that military criminal investigative organizations may use—

(A) to track criminal investigations into the prohibited conduct described in subsection (a), including a mechanism to track those investigations that are forwarded to commanders for administrative action;

(B) to provide relevant information from criminal investigations and administrative actions to civilian law enforcement agencies; and

(C) to track final administrative actions taken with respect to investigations that are referred to commanders.

(2) A mechanism commanders may use to provide information to military criminal investigative organizations on any serious conduct under consideration for administrative action or any final administrative actions taken with respect to the prohibited conduct described in subsection (a).

(3) A standardized database, shared among the covered Armed Forces, to ensure that the tracking required under subsection (a) is carried out in the same manner across such Armed Forces.

(c) REPORT.—Not later than December 1 of each year beginning after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the process implemented under subsection (a). Each report shall include—

(1) the number of investigations, criminal and administrative actions, and final determinations tracked over the preceding year; and

(2) of the actions enumerated under paragraph (1), the number of instances in which information on the conduct of a member of the covered Armed Forces was referred to civilian law enforcement agencies as a result of the investigation or action.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

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

(B) the Committee on the Judiciary and the Committee on Armed Services of the House of Representatives.

(2) The term ''covered Armed Forces'' means the Army, the Navy, the Air Force, and the Marine Corps.

SEC. 537. MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE AND RELATED INFORMATION COLLECTION ACTIVITIES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—

(1) ESTABLISHMENT.—The Secretary of Defense shall establish a military-civilian task force on domestic violence (in this section, referred to as the ''Task Force'').

(2) DUTIES.—The duties of the Task Force shall be to analyze and develop recommendations, for implementation by the Secretary, with respect to each of the following:

(A) The risk of domestic violence at various stages of military service, including identification of—

(i) stages at which there is a higher than average risk of domestic violence; and

(ii) stages at which the implementation of domestic violence prevention strategies may have the greatest preventive effect.

(B) The use and dissemination of domestic violence prevention resources throughout the stages of military service including providing new service members with training in domestic violence prevention.

(C) How to best target prevention resources to address those with a higher risk of domestic violence.

(D) The implementation of strategies to prevent domestic violence by training, educating, and assigning prevention-related responsibilities to—

(i) commanders;

(ii) medical, behavioral, and mental health service providers;

(iii) family advocacy representatives;

(iv) Military Family Life Consultants; and

(v) other individuals and entities with responsibilities that may be relevant to addressing domestic violence.

(E) The efficacy of providing survivors of domestic violence with the option to request expedited transfers, and the effects of such transfers.

(F) Improvements to procedures for reporting appropriate legal actions to the National Crime Information Center and the efficacy of such procedures.

(G) The effects of domestic violence on—

(i) housing for military families;

(ii) the education of military dependent children;

(iii) servicemember work assignments and careers; and

(iv) the health of servicemembers and their families, including short-term and long-term health effects and effects on mental health.

(H) Age-appropriate training and education programs for students attending schools operated by the Department of Defense Education Activity that are designed to assist such students in learning positive relationship behaviors in families and with intimate partners.

(I) The potential effects of requiring military protective orders to be issued by a military judge and whether such a requirement would increase the enforcement of military protective orders by civilian law enforcement agencies outside the boundaries of military installations.

(J) Whether prevention of domestic violence would be enhanced by raising the disposition authority for offenses of domestic violence to an officer who is—

(i) in the grade of 0–6 or above;

(ii) in the chain of command of the accused; and

(iii) authorized by chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) to convene special courts martial.

(K) Consideration of any other matters that the Task Force determines to be relevant to—

(i) decreasing the frequency of domestic violence committed by or upon members of the covered Armed Forces and their dependents; and

(ii) reducing the severity of such violence.

(3) MEMBERSHIP.—The Task Force shall be composed of the following members:

(A) One or more representatives of family advocacy programs of the Department of Defense.

(B) One or more representatives of the Defense Advisory Committee on Women in the Services.

(C) One or more medical personnel of the Department of Defense.

(D) One or more Judge Advocates General.

(E) One or more military police or other law enforcement personnel of the covered Armed Forces.

(F) One or more military commanders.

(G) One or more individuals whose duties include planning, executing, and evaluating training of the covered Armed Forces.

(H) Civilians who are experts on domestic violence or who provide services relating to domestic violence, including—

(i) not fewer than two representatives from the national domestic violence resource center and the special issue resource centers referred to in section 310 of the Family Violence Prevention and Services Act (42 U.S.C. 10410);

(ii) not fewer than two representatives from national domestic violence organizations;

(iii) not fewer than two representatives from State domestic violence and sexual assault coalitions; and

(iv) not fewer than two domestic violence service providers who provide services in communities located near military installations.

(I) One or more representatives who are subject matter experts on—

(i) scientific and other research relating to domestic violence; and

(ii) science-based strategies for the prevention, intervention, and response to domestic violence.

(J) Civilian law enforcement personnel.

(K) One or more representatives from the Office on Violence Against Women of the Department of Justice.

(L) One or more representatives of the Family Violence Prevention and Services Program of the Department of Health and Human Services.

(M) One or more representatives from the Centers for Disease Control and Prevention.

(4) APPOINTMENT BY SECRETARY OF DEFENSE.—

(A) IN GENERAL.—The Secretary of Defense shall appoint the members of the Task Force specified in subparagraphs (A) through (M) of paragraph (3).

(B) CONSULTATION.—

(i) CONSULTATION WITH ATTORNEY GENERAL.—In appointing members under subparagraph (K) of paragraph 3, the Secretary of Defense shall consult with the Attorney General.

(ii) CONSULTATION WITH SECRETARY OF HHS.—In appointing members under subparagraphs (L) and (M) of such paragraph, the Secretary shall consult with the Secretary of Health and Human Services

(C) INCLUSION OF CERTAIN PERSONNEL.—The Secretary shall ensure that the members appointed by the Secretary under this subparagraph include—

(i) representatives of the Office of the Secretary of Defense;

(ii) general and flag officers;

(iii) noncommissioned officers; and

(iv) other enlisted personnel of the covered Armed Forces.

(5) TOTAL NUMBER OF MEMBERS.—The total number of members appointed to the Task Force shall be not more than 25.

(6) CHAIRPERSON.—

(A) NOMINEE LIST.—On an annual basis, the Task Force shall submit to the Secretary a list of members of the Task Force who may be considered for the position of chairperson of the Task Force.

(B) SELECTION.—From the list submitted to the Secretary under subparagraph (A) for each year, the Secretary of Defense shall designate one member of the Task Force to serve as the chairperson of the Task Force.

(C) TERM.—The chairperson designated by the Secretary under subparagraph (B) shall serve for a term of one year and may serve for additional terms of one year if redesignated as the chairperson by the Secretary under such subparagraph.

(7) MEETINGS.—The first meeting of the Task Force shall convene not later than 180 days after the date of the enactment of this Act. Thereafter, the task Force shall meet in plenary session not less frequently than once annually.

(8) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Task Force shall serve without compensation (other than the compensation to which such member may be entitled as a member of the covered Armed Forces or an officer or employee of the United States, as the case may be), but 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 the member's home or regular places of business in the performance of services for the Task Force.

(9) SITE VISITS.—In the carrying out the duties described in paragraph (2), members of the Task Force shall—

(A) on an annual basis, visit one or more military installations outside the United States; and

(B) on a semiannual basis, visit one or more military installations within the United States.

(10) OVERSIGHT AND ADMINISTRATION.—The Secretary of Defense shall designate an appropriate organization within the Office of the Secretary of Defense to—

(A) provide oversight of the Task Force;

(B) provide the Task Force with the personnel, facilities, and other administrative support that is necessary for the performance of the Task Force's duties; and

(C) on a rotating basis, direct the Secretary of each military department to—

(i) coordinate visits of the Task Force to military installations; and

(ii) provide administrative, logistical, and other support for the meetings of the Task Force.

(11) REPORTS.—

(A) REPORTS TO SECRETARY.—

(i) INITIAL REPORT.—Not later than one year after the date on which the members of the Task Force are appointed under paragraph (3), the Task Force shall submit to the Secretary of Defense recommendations with respect to each matter described in paragraph (2).

(ii) SUBSEQUENT REPORTS.—After submitting the initial report under subparagraph (A), the Task Force shall, from time to time, submit to the Secretary of Defense such analyses and recommendations as the Task Force considers appropriate to improve the effectiveness of the covered Armed Forces in responding to and preventing domestic violence.

(B) REPORTS TO CONGRESS.—On an annual basis until the date on which the Task Force terminates under paragraph (12), the Task Force shall submit to Congress a report that includes—

(i) a description of any improvements in the response of the covered Armed Forces to domestic violence over the preceding year;

(ii) an explanation of any pending research on domestic violence that may be relevant to domestic violence involving members of the covered Armed Forces; and

(iii) such analyses and recommendations as the Task Force considers appropriate to improve the effectiveness of the covered Armed Forces in responding to and preventing domestic violence

(12) TERMINATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Task Force shall terminate on the date that is five years after the date of the first meeting of the Task Force.

(B) CONTINUATION.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary of Defense may continue the Task Force for a period of up to two years after the termination date applicable under subparagraph (A) if the Secretary determines that continuation of the Task Force is advisable and appropriate.

(ii) NOTICE TO CONGRESS.—If the Secretary determines to continue the Task Force under clause (i), not later than 90 days before the termination date applicable under subparagraph (A) and annually thereafter until the new date of the termination of the Task Force, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice describing the reasons for the continuation and confirming the new termination date.

(13) IMPLEMENTATION OF RECOMMENDATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 180 days after the date on which the Secretary of Defense receives the initial report of the Task Force under paragraph (11)(A)(i), the Secretary shall, in consultation with the Task Force, implement the recommendations of the Task Force with respect to each matter described in paragraph (2).

(B) WAIVER.—The Secretary of Defense may waive the requirement under subparagraph (A) with respect to a recommendation of the Task force by submitting to the Committees on Armed Services of the Senate and the House of Representatives a written notification setting forth the reasons for the Secretary's decision not to implement the recommendation.

(b) INFORMATION COLLECTION AND REPORTING.—

(1) INFORMATION COLLECTION.—

(A) REGULAR INFORMATION COLLECTION.—Using the mechanism developed under subparagraph (B), the Secretary of Defense shall regularly collect information to measure the prevalence of domestic violence involving members of the covered Armed Forces, their intimate partners, and immediate family members.

(B) MECHANISM TO MEASURE DOMESTIC VIOLENCE.—The Secretary of Defense, in coordination with the Centers for Disease Control and civilian organizations with expertise in conducting informational surveys, shall develop a mechanism to carry out the information collection required under subparagraph (A).

(2) ANNUAL REPORT ON DOMESTIC VIOLENCE.—

(A) REPORT REQUIRED.—On an annual basis, the Secretary of Defense shall submit to the congressional defense committees a report on domestic violence in the covered Armed Forces.

(B) ELEMENTS.—The report required under subparagraph (A) shall include, with respect to the year covered by the report, the following:

(i) Based on the information collected under paragraph (1), an assessment of the prevalence of domestic violence involving members of the covered Armed Forces, their intimate partners, and immediate family members.

(ii) The number of convictions under section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice).

(iii) The recidivism rate for members of the covered Armed Forces convicted of domestic violence offenses.

(iv) The number instances in which a member of the covered Armed Forces received an administrative discharge as a result of the member's involvement in a domestic violence incident.

(v) The number of instances in which a member of the covered Armed Forces was prohibited from possessing firearms as a result of the member's conviction for a domestic violence offense.

(vi) Of the incidents described in clause (v), the number of instances in which the member received a waiver of such prohibition or was otherwise allowed to access firearms for duty purposes.

(vii) An explanation of the status of data sharing between the Department of Defense and civilian law enforcement agencies on matters relating to domestic violence.

(c) COVERED ARMED FORCES DEFINED.—In this section, the term ''covered Armed Forces'' means the Army, the Navy, the Air Force, and the Marine Corps.

SEC. 538. ACTIONS TO ADDRESS MILITARY-CONNECTED CHILD ABUSE.

(a) IN GENERAL.—Consistent with the recommendations of the Government Accountability Office in the report titled ''Increased Guidance and Collaboration Needed to Improve DOD's Tracking and Response to Child Abuse'' (GAO–20–110), the Secretary of Defense shall carry out activities to improve the ability of the Department of Defense to effectively prevent, track, and respond to military-connected child abuse.

(b) ACTIVITIES REQUIRED.—The activities carried out under subsection (a) shall include the following:

(1) The Secretary of Defense shall expand the scope of the Department of Defense's centralized database on problematic sexual behavior in children and youth to track information on all incidents involving child abuse reported to a Family Advocacy Program or investigated by a military law enforcement organization, regardless of whether the perpetrator of the abuse is another child, an adult, or a person in a noncaregiving role at the time of the incident.

(2) The Secretary of Defense, in consultation with the Secretary of each military department, shall ensure—

(A) that each Family Advocacy Program records, in a database of the Program, the date on which the Program notified a military law enforcement organization of a reported incident of child abuse; and

(B) that each military law enforcement organization records, in a database of the organization, the date on which the organization notified a Family Advocacy Program of a reported incident of child abuse.

(3) The Secretary of Defense, in consultation with the Secretary of each military department, shall issue guidance that clarifies the process through which the Family Advocacy Program of a covered Armed Force will receive, and incorporate into the Program's central registry, information regarding child abuse allegations involving members of that a covered Armed Force and dependents of such members in cases in which such allegations were previously recorded by the Family Advocacy Program of another covered Armed Force. Such guidance shall include a mechanism for monitoring the process to ensure that the process is carried out consistently.

(4) Each covered Armed Force shall develop a process to monitor how reported incidents of child abuse are screened at military installations to help ensure that all reported child abuse incidents that should be presented to an Incident Determination Committee are consistently presented and tracked.

(5) The Secretary of Defense shall ensure that the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of the Department of Defense Education Activity, clarifies Department of Defense Education Activity guidance to define what types of child abuse incidents must be reported as serious incidents to help ensure that all serious incidents of which Department of Defense Education Activity leadership needs to be informed are accurately and consistently reported by school administrators.

(6) The Secretary of Defense, in consultation with the Secretaries of the military departments, shall—

(A) expand the voting membership of each Incident Determination Committee to include medical personnel with requisite knowledge and experience; and

(B) ensure, to the extent practicable, that voting membership of a Committee includes medical personnel with expertise in pediatric medicine in cases in which a reported incident of child abuse is under review by the Committee.

(7) Each covered Armed Force shall implement procedures to provide the families of child abuse victims with comprehensive information on how reported incidents of child abuse will be addressed. Such practices may include the development of a guide that—

(A) explains the processes the Family Advocacy Program and military law enforcement organizations will follow to address the report; and

(B) identifies services and other resources available to victims and their families.

(8) The Secretary of Defense, in consultation with the Secretaries of the military departments, shall issue guidance to clarify the circumstances under which military commanders may exercise the authority to remove a child from a potentially unsafe home on a military installation outside the United States.

(9) The Secretary of Defense shall ensure that the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of the Defense Health Agency, establishes processes that help ensure children who are sexually abused outside the United States have timely access to a certified pediatric sexual assault forensic examiner to conduct an examination. Such processes may include certifying pediatricians, or adult sexual assault forensic examiners who have pediatric sexual assault nurse examiner training in a multidisciplinary team setting, as pediatric examiners during mandatory training or establishing shared regional assets.

(10) The Secretary of Defense, in consultation with the Deputy Attorney General, shall establish procedures for military criminal investigative organizations to communicate with United States Attorneys, State Attorneys General, and local prosecutors for relevant cases involving child victims, including establishing protocols that—

(A) ensure that military investigators are notified when a prosecution is declined;

(B) provide notice to victims of the status of prosecutions and, as applicable, the reasons for the declination to prosecute;

(C) arrange for specialized victim services outside of the Department of Defense to be provided to juvenile victims to the extent possible;

(D) facilitate legal assistance or other civil legal aid services to juvenile victims; and

(E) ensure that juveniles accused of crimes are, to the extent possible, provided defense counsel who are trained in representing juveniles.

(11) The Secretary of each military department shall seek to develop a memorandum of understanding with the National Children's Alliance that makes children's advocacy center services and protocols available to all military installations of the department and increases awareness of those services across the department.

(c) DEADLINE.—The Secretary of Defense shall carry out the activities described in subsection (b) not later than one year after the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) The term ''child abuse'' means any abuse of a child (including physical abuse, sexual abuse, emotional abuse, and neglect) regardless of whether the perpetrator of the abuse is another child, an adult, or a person in a noncaregiving role.

(2) The term ''covered Armed Forces'' means the Army, Navy, Air Force, Marine Corps, and Space Force.

(3) The term ''Incident Determination Committee'' means a committee established at a military installation that is responsible for reviewing reported incidents of child abuse and determining whether such incidents constitute child abuse according to the applicable criteria of the Department of Defense.

(4) The term ''military-connected'', when used with respect to child abuse, means child abuse occurring on a military installation or involving a dependent of a member of the covered Armed Forces.

SEC. 539. MULTIDISCIPLINARY BOARD TO EVALUATE SUICIDE EVENTS.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall issue guidance that requires each suicide event involving of a member of a covered Armed Force to be reviewed by a multidisciplinary board established at the command or installation level. Such guidance shall require that, for each suicide event reviewed by such a board, the board will—

(1) clearly define the objective, purpose, and outcome of the review;

(2) take a multidisciplinary appraoch to the review and include, as part of the review process, leaders of military units, medical and mental health professionals, and representatives of military criminal investigative organizations;

(3) obtain the data necessary to make a comprehensive Department of Defense suicide event report submission; and

(4) take appropriate steps to protect and share information obtained from ongoing investigations into the event (such as medical and law enforcement reports).

(b) IMPLEMENTATION BY COVERED ARMED FORCES.—Not later than 90 days after the date on which the guidance is issued under subsection (a), the chiefs of the covered Armed Forces shall implement the guidance.

(c) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Secretary in implementing the guidance required under subsection (a).

(d) COVERED ARMED FORCES DEFINED.—In this section, the term ''covered Armed Forces'' means the Army, Navy, Air Force, Marine Corps, and Space Force.

Subtitle E—Sexual Assault

SEC. 541. PROTECTION OF ATTORNEY-CLIENT PRIVILEGE BETWEEN VICTIMS AND SPECIAL VICTIMS' COUNSEL.

(a) SPECIAL VICTIMS' COUNSEL.—Subsection (c) of section 1044e of title 10, United States Code, is amended to read as follows:

''(c) NATURE OF RELATIONSHIP.—

''(1) ATTORNEY-CLIENT RELATIONSHIP.—The relationship between a Special Victims' Counsel and a victim in the provision of legal advice and assistance shall be the relationship between an attorney and client.

''(2) TESTIMONY IN LEGAL PROCEEDINGS.—During any criminal legal proceeding in which a Special Victims' Counsel is asked to testify or give evidence, the Special Victims' Counsel shall be given the same consideration as counsel for the Government and counsel for the accused.''.

(b) REVISION TO MILITARY RULES OF EVIDENCE.—Not later than 180 days after the date of the enactment of this Act, Rule 502 of the Military Rules of Evidence shall be modified to provide that the privilege between a Special Victims' Counsel and a client shall be the same as lawyer-client privilege.

SEC. 542. AUTHORITY OF MILITARY JUDGES AND MILITARY MAGISTRATES TO ISSUE MILITARY COURT PROTECTIVE ORDERS.

(a) JUDGE-ISSUED MILITARY COURT PROTECTIVE ORDERS.—Chapter 80 of title 10, United

Stated Code, is amended by adding at the end the following new section

"§ 1567b. Authority of military judges and military magistrates to issue military court protective orders

''(a) AUTHORITY TO ISSUE MILITARY COURT PROTECTIVE ORDERS.—The President shall prescribe regulations authorizing military judges and military magistrates to issue protective orders in accordance with this section. A protective order issued in accordance with this section shall be known as a 'military court protective order'. Under the regulations prescribed by the President, military judges and military magistrates shall have exclusive jurisdiction over the issuance, appeal, renewal, and termination of military court protective orders and such orders may not be issued, appealed, renewed, or terminated by State, local, territorial, or tribal courts.

''(b) ENFORCEMENT BY CIVILIAN AUTHORITIES.—

''(1) IN GENERAL.—In prescribing regulations for military court protective orders, the President shall seek to ensure that the protective orders are issued in a form and manner that is enforceable by State, local, territorial, and tribal civilian law enforcement authorities.

''(2) FULL FAITH AND CREDIT.—Any military court protective order, should be accorded full faith and credit by the court of a State, local, territorial, or tribal jurisdiction (the enforcing jurisdiction) and enforced by the court and law enforcement personnel of that jurisdiction as if it were the order of the enforcing jurisdiction.

''(3) RECIPROCITY AGREEMENTS.—Consistent with paragraphs (1) and (2), the Secretary of Defense shall seek to enter into reciprocity agreements with State, local, territorial, and tribal civilian law enforcement authorities under which—

''(A) such authorities agree to enforce military court protective orders; and

''(B) the Secretary agrees to enforce protective orders issued by such authorities that are consistent with section 2265(b) of title 18.

''(c) PURPOSE AND FORM OF ISSUANCE.—A military court protective order may be issued for the purpose of protecting a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, from a person subject to chapter 47 of this title (the Uniform Code of Military Justice) who is alleged to have committed such an offense.

''(d) TIMING AND MANNER OF ISSUANCE.—A military court protective order may be issued—

''(1) by a military magistrate, before referral of charges and specifications to court-martial for trial, at the request of—

''(A) a victim of an alleged sex or domestic violence offense; or

''(B) a Special Victims' Counsel or other qualified counsel acting on behalf of the victim; or

''(2) by a military judge, after referral of charges and specifications to court-martial for trial, at the request of qualified counsel, which may include a Special Victims' Counsel acting on behalf of the victim or trial counsel acting on behalf of the prosecution.

''(e) DURATION AND RENEWAL OF PROTECTIVE ORDER.—

''(1) DURATION.—A military court protective order shall be issued for an initial period of thirty days and may be reissued for one or more additional periods of thirty days in accordance with paragraph (2).

''(2) EXPIRATION AND RENEWAL.—Before the expiration of any 30 day period during which a military court protective order is in effect, a military judge or military magistrate shall review the order to determine whether the order will terminate at the expiration of such period or be reissued for an additional period of 30 days.

''(3) NOTICE TO PROTECTED PERSONS.—If a military judge or military magistrate determines under paragraph (2) that a military court protective order will terminate, the judge or magistrate concerned shall provide to each person protected by the order reasonable, timely, and accurate notification of the termination.

''(f) REVIEW OF MAGISTRATE-ISSUED ORDERS.—

''(1) REVIEW.—A military judge, at the request of the person subject to a military court protective order that was issued by a military magistrate, may review the order to determine if the order was properly issued by the magistrate.

''(2) STANDARDS OF REVIEW.—A military judge who reviews an order under paragraph (1) shall terminate the order if the judge determines that—

''(A) the military magistrate's decision to issue the order was an abuse of discretion, and there is not sufficient information presented to the military judge to justify the order; or

''(B) information not presented to the military magistrate establishes that the military court protective order should be terminated.

''(g) DUE PROCESS.—

''(1) PROTECTION OF DUE PROCESS.—Except as provided in paragraph (2), a protective order authorized under subsection (a) may be issued only after reasonable notice and opportunity to be heard, directly or through counsel, is given to the person against whom the order is sought sufficient to protect that person's right to due process.

''(2) EMERGENCY ORDERS.—A protective order on an emergency basis may be issued on an ex parte basis under such rules and limitations as the President shall prescribe. In the case of ex parte orders, notice and opportunity to be heard must be provided within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.

''(h) RIGHTS OF VICTIM.—The victim of an alleged sex or domestic violence offense who seeks a military court protective order has, in addition to any rights provided under section 806b (article 6b), the following rights with respect to any proceeding involving the protective order:

''(1) The right to reasonable, accurate, and timely notice of the proceeding and of any change in the status of the protective order resulting from the proceeding.

''(2) The right to be reasonably heard at the proceeding.

''(3) The right to appear in person, with or without counsel, at the proceeding.

''(4) The right be represented by qualified counsel in connection with the proceeding, which may include a Special Victims' Counsel.

''(5) The reasonable right to confer with a representative of the command of the accused and counsel representing the government at the proceeding, as applicable.

''(6) The right to submit a written statement, directly or through counsel, for consideration by the military judge or military magistrate presiding over the proceeding.

''(i) RESTRICTIONS ON ACCESS TO FIREARMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law—

''(A) a military court protective order issued on an ex parte basis shall restrain a person from possessing, receiving, or otherwise accessing a firearm; and

''(B) a military court protective order issued after the person to be subject to the order has received notice and opportunity to be heard on the order, shall restrain such person from possessing, receiving, or otherwise accessing a firearm in accordance with section 922 of title 18.

''(2) NOTICE TO ATTORNEY GENERAL.—Not later than 72 hours after the issuance of an order described in paragraph (1), the Secretary of Defense shall submit to the Attorney General a record of the order.

''(j) TREATMENT AS LAWFUL ORDER.—A military court protective order shall be treated as a lawful order for purposes of the application of section 892 (article 92) and a violation of such an order shall be punishable under such section (article).

''(k) COMMAND MATTERS.—

''(1) INCLUSION IN PERSONNEL FILE.—Any military court protective order against a member shall be placed and retained in the military personnel file of the member.

''(2) NOTICE TO CIVILIAN LAW ENFORCEMENT OF ISSUANCE.—Any military court protective order against a member shall be treated as a military protective order for purposes of section 1567a including for purposes of mandatory notification of issuance to civilian law enforcement as required by that section.

''(l) RELATIONSHIP TO OTHER AUTHORITIES.—Nothing in this section may be construed as prohibiting—

''(1) a commanding officer from issuing or enforcing any otherwise lawful order in the nature of a protective order to or against members of the officer's command;

''(2) pretrial restraint in accordance with Rule for Courts-Martial 304 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule); or

''(3) pretrial confinement in accordance with Rule for Courts-Martial 305 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule)

''(m) DELIVERY TO CERTAIN PERSONS.—A physical and electronic copy of any military court protective order shall be provided, as soon as practicable after issuance, to the following:

''(1) The person or persons protected by the protective order or to the guardian of such a person if such person is under the age of 18 years.

''(2) The person subject to the protective order.

''(3) To such commanding officer in the chain of command of the person subject to the protective order as the President shall prescribe for purposes of this section.

''(n) DEFINITIONS.—In this section:

''(1) CONTACT.—The term 'contact' includes contact in person or through a third party, or through gifts,

''(2) COMMUNICATION.—The term 'communication' includes communication in person or through a third party, and by telephone or in writing by letter, data fax, or other electronic means.

''(3) COVERED SEX OR DOMESTIC VIOLENCE OFFENSE.—The term 'covered sex or domestic violence offense' means—

''(A) an alleged sex-related offense (as defined in section 1044e(h)); or

''(B) an alleged offense of domestic violence under section 928b of this title (article 128b of the Uniform Code of Military Justice) or an attempt to commit such an offense that is punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

''(4) MILITARY JUDGE AND MILITARY MAGISTRATE.—The terms 'military judge' and 'military magistrate' mean a commissioned officer of the armed forces who is a member of the bar of a Federal court or a member of the bar of the highest court of a State and who is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military judge or magistrate by the Judge Advocate General of the armed force of which the officer is a member.

''(5) PROTECTIVE ORDER.—The term 'protective order' means an order that—

''(A) restrains a person from harassing, stalking, threatening, or otherwise contacting or communicating with a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, or engaging in other conduct that would place such other person in reasonable fear of bodily injury to any such other person;

''(B) by its terms, explicitly prohibits—

''(i) the use, attempted use, or threatened use of physical force by the person against a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, that would reasonably be expected to cause bodily injury;

''(ii) the initiation by the person restrained of any contact or communication with such other person; or

''(iii) actions described by both clauses (i) and (ii).

''(6) SPECIAL VICTIMS' COUNSEL.—The term 'Special Victims Counsel' means a Special Victims' Counsel described in section 1044e and includes a Victims' Legal Counsel of the Navy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1567b. Authority of military judges and military magistrates to issue military court protective orders.''.

(c) IMPLEMENTATION.—The President shall prescribe regulations implementing section 1567b of title 10, United States Code, not later than one year after the date of the enactment of this Act.

SEC. 543. ADDITIONAL BASES FOR PROVISION OF ADVICE BY THE DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

Section 550B(c)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

''(C) Efforts among private employers to prevent sexual assault and sexual harassment among their employees.

''(D) Evidence-based studies on the prevention of sexual assault and sexual harassment in the Armed Forces, institutions of higher education, and the private sector.''.

SEC. 544. MODIFICATION OF REPORTING AND DATA COLLECTION ON VICTIMS OF SEXUAL OFFENSES.

Section 547 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1561 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''accused of'' and inserting ''suspected of''; and

(ii) by striking ''assault'' and inserting ''offense'';

(B) in paragraph (2), by striking ''accused of'' and inserting ''suspected of''; and

(C) in paragraph (3)—

(i) by striking ''assaults'' and inserting ''offenses''; and

(ii) by striking ''an accusation'' and inserting ''suspicion of'';

(2) by redesignating subsection (b) as subsection (c);

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

''(b) GUIDANCE REQUIRED.—The Secretary of Defense shall issue guidance to ensure the uniformity of the data collected by each Armed Force for purposes of subsection (a). At a minimum, such guidance shall establish—

''(1) standardized methods for the collection of the data required to be reported under such subsection; and

''(2) standardized definitions for the terms 'sexual offense', 'collateral miconduct', and 'adverse action'.''; and

(4) by amending subsection (c), as so redesignated, to read as follows:

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means an individual who is identified in the case files of a military criminal investigative organization as a victim of a sexual offense that occurred while that individual was serving on active duty as a member of the Armed Forces.

''(2) The term 'suspected of', when used with respect to a covered individual suspected of collateral misconduct or crimes as described in subsection (a), means that an investigation by a military criminal investigative organization reveals facts and circumstances that would lead a reasonable person to believe that the individual committed an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

SEC. 545. MODIFICATION OF ANNUAL REPORT REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) SUBMISSION TO CONGRESS.—Section 1631(d) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by inserting ''and the Committees on Veterans' Affairs of the Senate and the House of Representatives'' after ''House of Representatives''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to reports required to be submitted under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) on or after such date.

SEC. 546. COORDINATION OF SUPPORT FOR SURVIVORS OF SEXUAL TRAUMA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretaries of Defense and Veterans Affairs shall jointly develop, implement, and maintain a standard of coordinated care for members of the Armed Forces who are survivors of sexual trauma. Such standard shall include the following:

(b) MINIMUM ELEMENTS.—The standard developed and implemented under subsection (a) by the Secretaries of Defense and Veterans Affairs shall include the following:

(1) INFORMATION FOR MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall ensure that—

(A) Sexual Assault Response Coordinators and Uniformed Victim Advocates receive annual training on resources of the Department of Veterans Affairs regarding sexual trauma;

(B) information regarding services furnished by the Secretary of Veterans Affairs to survivors of sexual trauma is provided to each such survivor; and

(C) information described in subparagraph (B) is posted in the following areas in each facility of the Department of Defense:

(i) An office of the Family Advocacy Program.

(ii) An office of a mental health care provider.

(iii) Each area in which sexual assault prevention staff normally post notices or information.

(iv) High-traffic areas (including dining facilities).

(2) COORDINATION BETWEEN STAFF OF THE DEPARTMENTS.—The Secretaries shall ensure that a Sexual Assault Response Coordinator or Uniformed Victim Advocate of the Department of Defense who receives a report of an instance of sexual trauma connects the survivor to the Military Sexual Trauma Coordinator of the Department of Veterans Affairs at the facility of that Department nearest to the residence of that survivor if that survivor is a member separating or retiring from the Armed Forces.

(c) REPORTS.—

(1) REPORT ON RESIDENTIAL TREATMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of Defense and Veterans Affairs shall provide a report to the appropriate committees of Congress regarding the availability of residential treatment programs for survivors of sexual trauma, including—

(A) barriers to access for such programs; and

(B) resources required to reduce such barriers.

(2) INITIAL REPORT.—Upon implementation of the standard under subsection (a), the Secretaries of Defense and Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the standard.

(3) PROGRESS REPORTS.—Not later than 180 days after submitting the initial report under paragraph (2), and on December 1 of each subsequent year, the Secretaries of Defense and Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the progress of the Secretaries in implementing and improving the standard.

(4) UPDATES.—Whenever the Secretaries of Defense and Veterans Affairs update the standard developed under subsection (a), the Secretaries shall jointly submit to the appropriate committees of Congress a report on such update, including a comprehensive and detailed description of such update and the reasons for such update.

(d) DEFINITIONS.—In this section:

(1) The term ''sexual trauma'' means psychological trauma described in section 1720D(a)(1) of title 38, United States Code.

(2) The term ''appropriate committees of Congress'' means—

(A) the Committees on Veterans' Affairs of the House of Representatives and the Senate; and

(B) the Committees on Armed Services of the House of Representatives and the Senate.

SEC. 547. POLICY ON SEPARATION OF VICTIM AND ACCUSED AT MILITARY SERVICE ACADEMIES.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments and the Superintendent of each military service academy, prescribe in regulations a policy under which a cadet or midshipman of a military service academy who is the alleged victim of a sexual assault and a cadet or midshipman who is the alleged perpetrator of such assault shall, to the extent practicable, each be given the opportunity to complete their course of study at the academy without—

(1) taking classes together; or

(2) otherwise being in close proximity to each other during mandatory activities.

(b) ELEMENTS.—The Secretary of Defense shall ensure that the policy developed under subsection (a)—

(1) protects the alleged victim as necessary, including by prohibiting retaliatory harassment;

(2) allows both the victim and the accused to complete their course of study at the institution with minimal disruption;

(3) protects the privacy of both the victim and the accused by ensuring that information about the alleged sexual assault and the individuals involved is not revealed to third parties who are not specifically authorized to receive such information in the course of performing their regular duties, except that such policy shall not preclude the alleged victim or the alleged perpetrator from making such disclosures to third parties; and

(4) minimizes the burden on the alleged victim when taking steps to separate the alleged victim and alleged perpetrator.

(c) SPECIAL RULE.—The policy developed under subsection (a) shall not preclude a military service academy from taking other administrative or disciplinary action when appropriate.

(d) MILITARY SERVICE ACADEMY DEFINED.—In this section, the term ''military service academy'' means the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

SEC. 548. SAFE-TO-REPORT POLICY APPLICABLE ACROSS THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, prescribe in regulations a safe-to-report policy described in subsection (b) that applies with respect to all members of the covered Armed Forces (including members of the reserve components of the covered Armed Forces) and cadets and midshipmen at the military service academies.

(b) SAFE-TO-REPORT POLICY.—The safe-to-report policy described in this subsection is a policy that prescribes the handling of minor collateral misconduct involving a member of the covered Armed Forces who is the alleged victim of sexual assault.

(c) AGGRAVATING CIRCUMSTANCES.—The regulations under subsection (a) shall specify aggravating circumstances that increase the gravity

of minor collateral misconduct or its impact on good order and discipline for purposes of the safe-to-report policy.

(d) TRACKING OF COLLATERAL MISCONDUCT INCIDENTS.—In conjunction with the issuance of regulations under subsection (a), Secretary shall develop and implement a process to track incidents of minor collateral misconduct that are subject to the safe-to-report policy.

(e) DEFINITIONS.—In this section:

(1) The term ''covered Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a)(4) of title 10, United States Code, except such term does not include the Coast Guard.

(2) The term ''military service academy'' means the following:

(A) The United States Military Academy.

(B) The United States Naval Academy.

(C) The United States Air Force Academy.

(3) The term ''minor collateral misconduct'' means any minor misconduct that is potentially punishable under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that—

(A) is committed close in time to or during the sexual assault, and directly related to the incident that formed the basis of the sexual assault allegation;

(B) is discovered as a direct result of the report of sexual assault or the ensuing investigation into the sexual assault; and

(C) does not involve aggravating circumstances (as specified in the regulations prescribed under subsection (c)) that increase the gravity of the minor misconduct or its impact on good order and discipline.

SEC. 549. QUESTION IN WORKPLACE AND GENDER RELATIONS SURVEYS REGARDING PROSECUTIONS OF SEXUAL ASSAULT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall include in the covered surveys a question regarding whether a member of an Armed Force under the jurisdiction of the Secretary of a military department would be more willing to report a sexual assault if prosecution decisions were made by lawyers and not commanders.

(b) COVERED SURVEYS DEFINED.—In this section, the term ''covered surveys'' means the workplace and gender relations surveys and focus groups administered by the Office of People Analytics of the Department of Defense, including—

(1) the Workplace and Gender Relations Survey of Active Duty Members;

(2) the Workplace and Gender Relations Survey of Reserve Component Members;

(3) the Military Service Gender Relations Focus Group; and

(4) any successor survey or focus group.

SEC. 549A. PILOT PROGRAM ON PROSECUTION OF SPECIAL VICTIM OFFENSES COMMITTED BY ATTENDEES OF MILITARY SERVICE ACADEMIES.

(a) PILOT PROGRAM.—Beginning not later than January 1, 2021, the Secretary of Defense shall carry out a pilot program (referred to in this Act as the ''Pilot Program'') under which the Secretary shall establish, in accordance with this section, an independent authority to—

(1) review each covered special victim offense; and

(2) determine whether such offense shall be referred to trial by an appropriate court-martial convening authority.

(b) OFFICE OF THE CHIEF PROSECUTOR.—

(1) ESTABLISHMENT.—As part of the Pilot Program, the Secretary shall establish, within the Office of the Secretary of Defense, an Office of the Chief Prosecutor.

(2) HEAD OF OFFICE.—The head of the Office shall be known as the Chief Prosecutor. The Secretary shall appoint as the Chief Prosecutor a commissioned officer in the grade of O–7 or above who—

(A) has significant experience prosecuting sexual assault trials by court-martial; and

(B) is outside the chain of command of any cadet or midshipman described in subsection (f)(2).

(3) RESPONSIBILITIES.—The Chief Prosecutor shall exercise the authorities described in subsection (c) but only with respect to covered special victim offenses.

(4) SPECIAL RULE.—Notwithstanding any other provision of law, the military service from which the Chief Prosecutor is appointed is authorized an additional billet for a general officer or a flag officer for each year in the two year period beginning with the year in which the appointment is made.

(5) TERMINATION.—The Office of the Chief Prosecutor shall terminate on the date on which the Pilot Program terminates under subsection (e).

(c) REFERRAL TO OFFICE OF THE CHIEF PROSECUTOR.—

(1) INVESTIGATION PHASE.—

(A) NOTICE AND INFORMATION.—A military criminal investigative organization that receives an allegation of a covered special victim offense shall provide to the Chief Prosecutor and the commander of the military service academy concerned—

(i) timely notice of such allegation; and

(ii) any information and evidence obtained as the result a subsequent investigation into the allegation.

(B) TRIAL COUNSEL.—A trial counsel assigned to a case involving a covered special victim offense shall, during the investigative phase of such case, provide the Chief Prosecutor with the information necessary to enable the Chief Prosecutor to make the determination required under paragraph (3).

(2) REFERRAL TO CHIEF PROSECUTOR.—In the case of a charge relating to a covered special victim offense, in addition to referring the charge to the staff judge advocate under subsection (a) or (b) of section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), the convening authority of the Armed Force of which the accused is a member shall refer, as soon as reasonably practicable, the charge to the Chief Prosecutor to make the determination required by paragraph (3).

(3) PROSECUTORIAL DETERMINATION.—The Chief Prosecutor shall make a determination regarding whether a charge relating to a covered special victim offense shall be referred to trial. If the Chief Prosecutor makes a determination that the charge shall be tried by court-martial, the Chief Prosecutor also shall determine whether the charge shall be tried by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice) or a special court-martial convened under section 823 of such title (article 23 of the Uniform Code of Military Justice). The determination of whether to try a charge relating to a covered special victim offense by court-martial shall include a determination of whether to try any known offenses, including any lesser included offenses.

(4) EFFECT OF DETERMINATION AND APPEALS PROCESS.—

(A) DETERMINATION TO PROCEED TO TRIAL.—Subject to subparagraph (C), a determination to try a charge relating to a covered special victim offense by court-martial under paragraph (3), and the determination as to the type of court-martial, shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) for a trial by court-martial on the charge.

(B) DETERMINATION NOT TO PROCEED TO TRIAL.—Subject to subparagraph (C), a determination under paragraph (3) not to proceed to trial on a charge relating to a covered special victim offense by general or special court-martial shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that such determination shall not operate to terminate or otherwise alter the authority of the convening authority—

(i) to proceed to trial by court-martial on charges of collateral misconducted related to the special victim offense; or

(ii) to impose non-judicial punishment in connection with the conduct covered by the charge as authorized by section 815 of such title (article 15 of the Uniform Code of Military Justice).

(C) APPEAL.—In a case in which a convening authority and the staff judge advocate advising such authority disagree with the determination of the Chief Prosecutor under paragraph (3), the convening authority and staff judge advocate may jointly appeal the determination to the General Counsel of the Department of Defense. The determination of the General Counsel with respect to such appeal shall be binding on the Chief Prosecutor and the convening authority concerned.

(5) TRIAL BY RANDOMIZED JURY.—After the Chief Prosecutor makes a determination under paragraph (3) to proceed to trial on a charge relating to a covered special victim offense, the matter shall be tried by a court-martial convened within the Armed Force of which the accused is a member in accordance with the applicable provisions of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that, when convening a court-martial that is a general or special court-martial involving a covered special victim offense in which the accused elects a jury trial, the convening authority shall detail members of the Armed Forces as members thereof at random unless the obtainability of members of the Armed Forces for such court-martial prevents the convening authority from detailing such members at random.

(6) UNLAWFUL INFLUENCE OR COERCION.—The actions of the Chief Prosecutor under this subsection whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(d) EFFECT ON OTHER LAW.—This section shall supersede any provision of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is inconsistent with this section, but only to the extent of the inconsistency.

(e) TERMINATION AND TRANSITION.—

(1) TERMINATION.—The authority of the Secretary to carry out the Pilot Program shall terminate four years after the date on which the Pilot Program is initiated.

(2) TRANSITION.—The Secretary shall take such actions as are necessary to ensure that, on the date on which the Pilot Program terminates under paragraph (1), any matter referred to the Chief Prosecutor under subsection (c)(2), but with respect to which the Chief Prosecutor has not made a determination under subsection (c)(3), shall be transferred to the appropriate convening authority for consideration.

(f) DEFINITIONS.—In this Act:

(1) The term ''Armed Force'' means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term ''covered special victim offense'' means a special victim offense—

(A) alleged to have been committed on or after the date of the enactment of this Act by a cadet of the United States Military Academy or the United States Air Force Academy, without regard to the location at which the offense was committed; or

(B) alleged to have been committed on or after the date of the enactment of this Act by a midshipman of the United States Naval Academy, without regard to the location at which the offense was committed.

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

(4) The term ''special victim offense'' means any of the following:

(A) An offense under section 917a, 920, 920b, 920c, or 930 of title 10, United States Code (article 117a, 120, 120b, 120c, or 130 of the Uniform Code of Military Justice).

(B) A conspiracy to commit an offense specified in subparagraph (A) as punishable under section 881 of such title (article 81 of the Uniform Code of Military Justice).

(C) A solicitation to commit an offense specified in subparagraph (A) as punishable under section 882 of such title (article 82 of the Uniform Code of Military Justice).

(D) An attempt to commit an offense specified in subparagraph (A) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

SEC. 549B. REPORT ON STATUS OF INVESTIGATIONS OF ALLEGED SEX-RELATED OFFENSES.

(a) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter through December 31, 2025, the Secretary of each military department shall submit to the congressional defense committees a report on the status of investigations into alleged sex-related offenses.

(b) ELEMENTS.—Each report under subsection (a) shall include, with respect to investigations into alleged sex-related offenses carried out by military criminal investigative organizations under the jurisdiction of the Secretary concerned during the preceding year, the following:

(1) The total number of investigations.

(2) For each investigation—

(A) the date the investigation was initiated; and

(B) an explanation of whether the investigation is in-progress or complete as of the date of the report and, if complete, the date on which the investigation was completed.

(3) The total number of investigations that are complete as of the date of the report.

(4) The total number of investigations that are in-progress as of the date of the report.

(5) For investigations lasting longer than 180 days, an explanation of the primary reasons for the extended duration of the investigation.

(c) DEFINITIONS.—In this section:

(1) The term ''alleged sex-related offense'' has the meaning given that term in section 1044(e)(h) of title 10, United States Code.

(2) The term ''complete'' when used with respect to an investigation of an alleged sex-related offense, means the active phase of the investigation is sufficiently complete to enable the appropriate authority to reach a decision with respect to the disposition of charges for the offense.

Subtitle F—Member Education, Training, and Transition

SECTION 551. COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM REGARDING SEXUAL ASSAULT, SEXUAL OR GENDER HARASSMENT, AND INTIMATE PARTNER VIOLENCE.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Information concerning health care (including mental health care) furnished by the Secretary of Veterans Affairs to veterans and members of the Armed Forces who have survived sexual assault, sexual or gender harassment, or intimate partner violence.''.

SEC. 552. ESTABLISHMENT OF MENTORING AND CAREER COUNSELING PROGRAM.

(a) IN GENERAL.—Chapter 107 of title 10, United States Code, is amended by adding at the end the following new section:

''§2158. Mentoring and career counseling program

''(a) ESTABLISHMENT; OBJECTIVES.—The Secretary of Defense, in coordination with the Secretaries of the military departments and the Chief Diversity Officer, shall implement a program for mentoring and career counseling that—

''(1) ensures that all military occupational specialties and career fields reflect the demographics of the armed forces; and

''(2) ensures that members in all ranks and grades reflect the demographics of the armed forces.

''(b) PROGRAM DESCRIPTION AND COMPONENTS.—The program under subsection (a) shall—

''(1) include mentoring and career counseling efforts that start prior to the initial career field decision point and continue throughout the career of each participating member;

''(2) provide guidance on accession into the military occupational specialties and career fields that experience the highest rates and greatest number of promotions to a grade above O–6; and

''(3) promote information regarding career choices, including opportunities in the reserve components, to optimize the ability of a participating member to make informed career choices from accession to retirement.

''(c) EVALUATION METRICS.—The Secretary of Defense shall establish and maintain metrics to evaluate the effectiveness of the program under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 of such title is amended by at the end the following new item:

''2158. Mentoring and career counseling program.''.

(c) INTERIM REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees on Armed Services of the Senate and the House of Representatives a report on the implementation of section 2158 of title 10, United States Code, as added by subsection (a).

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

(A) A description and assessment of the manner in which the Department of Defense shall implement the program under subsection (a) of such section 2158.

(B) The initial evaluation metrics developed under subsection (c) of such section 2158.

(C) An explanation of whether the program will be carried out as part of another program of the Department or through the establishment of a separate program.

(D) A comprehensive description of the additional personnel, resources, and training that will be required to implement the program, including identification of the specific number of additional billets that will be needed to staff the program.

(E) Recommendations of the Secretary for additional legislation that the Secretary determines e necessary to effectively and efficiently implement the program.

(d) ANNUAL REPORT.—

(1) REPORT REQUIRED.—Not later than October 1, 2021, and annually thereafter for three years, the Secretary of Defense shall submit to the congressional defense committees on Armed Services of the Senate and the House of Representatives a report on the program under section 2158 of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—Each report under paragraph (1) shall include, disaggregated by Armed Force, the following:

(A) The latest evaluation metrics developed under subsection (c) of such section 2158.

(B) The number of individuals, disaggregated by grade, ethnicity, race, and gender, who were eligible for participation in the program.

(C) The number of individuals, disaggregated by grade, ethnicity, race, and gender, who opted out of participation in the program.

(D) An assessment of the effectiveness of the program in advancing the careers of minority commissioned officers.

(e) PUBLICATION.—The Secretary of Defense shall—

(1) publish on an appropriate publicly available website of the Department of Defense the reports required under subsections (c) and (d); and

(2) ensure that any data included with each such report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(f) IMPLEMENTATION DATE.—The Secretary of Defense shall implement the program under section 2158 of title 10, United States Code, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) The term ''minority person'' means any individual who is a citizen of the United States and who is—

(A) Asian American;

(B) Native Hawaiian;

(C) a Pacific Islander;

(D) African American;

(E) Hispanic;

(F) Puerto Rican;

(G) Native American;

(H) an Alaska Native; or

(I) female.

(2) The term ''minority commissioned officer'' means any commissioned officer who is a minority person.

(3) The term ''machine-readable'' has the meaning given that term in section 3502(18) of title 44, United States Code.

SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO AWARD BACHELOR'S DEGREES.—Section 2168 of title 10, United States Code, is amended—

*(1) in the section heading, by striking ''**Associate**'' and inserting ''**Associate or Bachelor**''; and*

(2) by amending subsection (a) to read as follows:

''(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer—

''(1) an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree; or

''(2) a Bachelor of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by striking the item relating to section 2168 and inserting the following new item:

''2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.''.

SEC. 554. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO AWARD BACHELOR'S DEGREES.—Section 2168 of title 10, United States Code, is amended—

*(1) in the section heading, by striking ''**Associate**'' and inserting ''**Associate or Bachelor**''; and*

(2) by amending subsection (a) to read as follows:

''(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer—

''(1) an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree; or

''(2) a Bachelor of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by striking the item relating to section 2168 and inserting the following new item:

''2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.''.

SEC. 555. INCREASE IN NUMBER OF PERMANENT PROFESSORS AT THE UNITED STATES AIR FORCE ACADEMY.

Section 9431(b)(4) of title 10, United States Code, is amended by striking ''23'' and inserting ''25''.

SEC. 556. INFORMATION ON NOMINATIONS AND APPLICATIONS FOR MILITARY SERVICE ACADEMIES.

(a) CONGRESSIONAL NOMINATIONS PORTAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary, in consultation with the Superintendents of the military service academies, shall ensure that there is a uniform online portal for all military service academies that enables Members of Congress to nominate individuals for appointment to each academy through a secure website.

(2) INFORMATION COLLECTION AND REPORTING.—The online portal established under paragraph (1) shall—

(A) collect, from each Member of Congress, the demographic information described in subsection (b) for each individual nominated by the Member; and

(B) collect the information required to be included in each annual report of the Secretary under subsection (c) in a manner that enables the Secretary to automatically compile such information when preparing the report.

(3) AVAILABILITY OF INFORMATION.—The portal shall allow Members of Congress and their designees to view past nomination records for all application cycles.

(b) STANDARD CLASSIFICATIONS FOR COLLECTION OF DEMOGRAPHIC DATA.—

(1) STANDARDS REQUIRED.—The Secretary, in consultation with the Superintendents of the military service academies, shall establish standard classifications that cadets, midshipmen, and applicants to the academies may use to self-identify gender, race, and ethnicity and to provide other demographic information in connection with admission to or enrollment in an academy.

(2) CONSISTENCY WITH OMB GUIDANCE.—The standard classifications established under paragraph (1) shall be consistent with the standard classifications specified in Office of Management and Budget Directive No. 15 (pertaining to race and ethnic standards for Federal statistics and administrative reporting) or any successor directive.

(3) INCORPORATION INTO APPLICATIONS AND RECORDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall incorporate the standard classifications established under paragraph (1) into—

(A) applications for admission to the military service academies; and

(B) the military personnel records of cadets and midshipmen enrolled in such academies.

(c) ANNUAL REPORT ON THE DEMOGRAPHICS MILITARY SERVICE ACADEMY APPLICANTS.—

(1) REPORT REQUIRED.—Not later than September 30 of each year beginning after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the demographics of applicants to military service academies for the most recently concluded application year.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to each military service academy, the following:

(A) The number of individuals who submitted an application for admission to the academy in the application year covered by the report.

(B) Of the individuals who submitted an application for admission to the academy in such year—

(i) the overall demographics of applicant pool, disaggregated by the classifications established under subsection (b) and by Member of Congress;

(ii) the number and percentage who received a nomination, disaggregated by the classifications established under subsection (b) and by Member of Congress;

(iii) the number and percentage who received an offer for appointment to the academy, disaggregated by the classifications established under subsection (b) and by Member of Congress; and

(iv) the number and percentage who accepted an appointment to the academy, disaggregated by the classifications established under subsection (b) and by Member of Congress.

(3) CONSULTATION.—In preparing each report under paragraph (1), the Secretary shall consult with the Superintendents of the military service academies.

(4) AVAILABILITY OF REPORTS AND DATA.—The Secretary shall—

(A) make the results of each report under paragraph (1) available on a publicly accessible website of the Department of Defense; and

(B) ensure that any data included with the report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(d) DEFINITIONS.—In this section:

(1) The term ''application year'' means the period beginning on January 1 of one year and ending on June 1 of the following year.

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

(3) The term ''machine-readable'' has the meaning given that term in section 3502(18) of title 44, United States Code.

(4) The term ''military service academy'' means—

(A) the United States Military Academy;

(B) the United States Naval Academy; and

(C) the United States Air Force Academy.

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

SEC. 557. TRANSFORMATION OF THE PROFESSIONAL MILITARY EDUCATION ENTERPRISE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that--

(1) professional military education is foundational to the development of ethical and effective military leaders and vital to national security;

(2) oversight of professional military education is an essential part of Congress' constitutional responsibilities to regulate and maintain the Armed Forces of the United States;

(3) reform of the professional military education system, as directed by the congressional defense committees, has played a central role in the institutionalization of jointness as envisioned by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99–433);

(4) the Goldwater-Nichols professional military education model has served the Nation well since the end of the Cold War by enabling successful joint military operations across the spectrum of conflict;

(5) recent changes in the national security environment require that the professional military education enterprise adapt to prepare the joint force to successfully defend American interests in evolving areas of strategic competition;

(6) the Department of Defense must transform the professional military education enterprise to meet these challenges by emphasizing focused and rigorous intellectual study reflecting the hard won strategic insights of history, while leveraging advancements in the modern learning environment.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended consolidate, close, or significantly change the curriculum of the National Defense University or any institution of professional military education of an Armed Force until a period of 120 days has elapsed following the date on which the Under Secretary of Defense for Personnel and Readiness submits the report required under subsection (c).

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the professional military education enterprise.

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

(A) A consolidated summary that—

(i) lists all components of the professional military education enterprise of the Department of Defense, including all associated schools, programs, research centers, and support activities; and

(ii) for each such component, identifies the assigned personnel strength, annual student throughput, and budget details covering the period of three fiscal years preceding the date of the report.

(B) An assessment of the effectiveness and shortfalls of the existing professional military education enterprise as measured against graduate utilization, post-graduate evaluations, and the education and force development requirements of the Chairman of the Joint Chiefs of Staff and the Chiefs of the Armed Forces.

(C) Recommendations to improve the intellectual readiness of the joint force through reforms designed to—

(i) improve the warfighting readiness, intellectual fitness and cognitive ingenuity of military leaders;

(ii) promote development of strategic thinkers capable of developing integrated political-military and cross-domain strategies and new doctrinal concepts;

(iii) enhance the effectiveness, coherence, and efficiency of individual service approaches to professional military education;

(iv) improve the depth and rigor of professional military education curriculum in alignment with national defense strategy pacing threats while enhancing strategic relationships and operational integration with key allies and international security partners; and

(v) foster the deliberate development of world-class faculty through increasing the value of faculty assignments and other appropriate measures.

SEC. 558. COLLEGE OF INTERNATIONAL SECURITY AFFAIRS OF THE NATIONAL DEFENSE UNIVERSITY.

(a) PROHIBITION.—The Secretary of Defense may not eliminate, divest, downsize, or reorganize the College of International Security Affairs, nor its satellite program, the Joint Special Operations Masters of Arts, of the National Defense University, or seek to reduce the number of students educated at the College, or its satellite program, until 30 days after the date on which the 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 Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict , the Deputy Assistant Secretary of Defense for Counter-narcotics and Global Threats, the Deputy Assistant Secretary of Defense for Stability and Humanitarian Affairs, the Deputy Assistant Secretary of Defense for Special Operations and Combating Terrorism, the Chief Financial Officer of the Department, the Chairman of the Joint Chiefs of Staff, and the Commander of United States Special Operations Command, shall—

(1) assess requirements for joint professional military education and civilian leader education in the counterterrorism, irregular warfare, and asymmetrical domains to support the Department and other national security institutions of the Federal Government;

(2) determine whether the importance, challenges, and complexity of the modern counterterrorism environment and irregular and asymmetrical domains warrant—

(A) a college at the National Defense University, or a college independent of the National Defense University whose leadership is responsible to the Office of the Secretary of Defense; and

(B) the provision of resources, services, and capacity at levels that are the same as, or decreased or enhanced in comparison to, those resources, services, and capacity in place at the College of International Security Affairs on January 1, 2019;

(3) review the plan proposed by the National Defense University for eliminating the College of International Security Affairs and reducing and restructuring the counterterrorism, irregular, and asymmetrical faculty, course offerings, joint professional military education and degree and certificate programs, and other services provided by the College; and

(4) assess the changes made to the College of International Security Affairs since January 1, 2019, and the actions necessary to reverse those changes, including relocating the College and its associated budget, faculty, staff, students, and facilities outside of the National Defense University.

(c) REPORT REQUIRED.—Not later than February 1, 2021, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the assessments, determination, and review conducted under subsection (b); and

(2) such recommendations as the Secretary may have for higher education in the counterterrorism, irregular, and asymmetrical domains.

SEC. 559. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE PROFESSIONAL MILITARY EDUCATION.

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Chairman of the Joint Chiefs of Staff and in consultation with the Under Secretary of Defense for Personnel and Readiness, shall establish and maintain a public-private consortium (referred to in this section as the ''Consortium'') to improve and broaden professional military education for military officers and civilian employees of the Federal Government.

(b) DIRECTORS.—

(1) IN GENERAL.—The President of the National Defense University and the head of a civilian institution of higher education appointed in accordance with paragraph (3) shall serve as co-directors of the Consortium.

(2) RESPONSIBILITIES OF CO-DIRECTORS.—The co-directors shall be responsible for—

(A) the administration and management of the Consortium; and

(B) developing a common curriculum for professional military education using input received from members of the Consortium.

(3) APPOINTMENT OF CO-DIRECTOR FROM CIVILIAN INSTITUTION.—Not later than June 1, 2021, the Secretary of Defense shall appoint an individual who is the President or Chancellor of a civilian institution of higher education to serve as co-director of the Consortium as described in paragraph (1).

(4) TERM OF CO-DIRECTOR.—The co-director appointed under paragraph (3) shall serve an initial term of five years. The Secretary of Defense may reappoint such co-director for one or more additional terms of not more than five years, as the Secretary determines appropriate.

(5) AUTHORITY.—In the event that a conflict arises between co-directors of the Consortium, the conflict shall be resolved by the Director for Joint Force Development of the Joint Chiefs of Staff (J-7).

(c) ACTIVITIES OF CONSORTIUM.—The Consortium shall carry out the following activities:

(1) Bring the military education system (including military service academies, institutions that provide professional military education, and other institutions the provide military education) together with a broad group of civilian institutions of higher education, policy research institutes, and the commercial sector to develop and continually update a research-based curriculum to prepare early career, mid-career, and senior military officers and civilian employees of the Federal Government to succeed in an era that will be predominantly defined by great power competition and in which security challenges will transcend the traditional areas of defense expertise, becoming more complex and inter-related than before, with disruptions that will manifest rapidly and with little warning.

(2) Train military officers and civilian educators serving in the joint professional military education system to implement the curriculum developed under paragraph (2) at the institutions they serve.

(3) On a regular basis, make recommendations to the Secretary about how the joint professional military education system should be modified to meet the challenges of apparent or possible future defense, national security, and international environments.

(d) MEMBERS.—The Consortium shall be composed of representatives selected by the Secretary of Defense from the following organizations:

(1) Organizations within the joint professional military education system.

(2) Military service academies.

(3) Other institutions of the Federal Government that provide military education.

(4) Civilian institutions of higher education.

(5) Private sector and government policy research institutes.

(6) Organizations in the commercial sector, including organizations from the industrial, finance, and technology sectors.

(e) ANNUAL REPORT.—Not later than September 30, 2022, and annually thereafter, the co-directors of the Consortium shall submit to the Secretary of Defense and the congressional defense committees a report that describes the activities carried out by the Consortium during the preceding year.

(f) CIVILIAN INSTITUTION DEFINED.—In this section, the term ''civilian institution of higher education'' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that is not owned or controlled by the Federal Government.

Subtitle G—Military Family Readiness and Dependents' Education

SECTION 561. FAMILY READINESS: DEFINITIONS; COMMUNICATION STRATEGY; REPORT.

(a) DEFINITIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall define the terms ''military family readiness'' and ''military family resiliency''.

(b) COMMUNICATION STRATEGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall establish and implement a strategy regarding communication with military families. The strategy shall include the following:

(1) The use of a variety of modes of communication to ensure the broadest means of communicating with military families.

(2) Updating an existing annual standardized survey that assesses military family readiness to address the following issues:

(A) Communication with beneficiaries.

(B) Child care.

(C) Education,

(D) Spousal employment.

(E) The Exceptional Family Member Program.

(F) Financial literacy.

(G) Financial stress.

(H) Health care (including copayments, network adequacy, and the availability of appointments with health care providers).

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the feasibility of implementing the recommendations in—

(1) chapter 3 of the report of the Inspector General of the Department of Defense for fiscal year 2020, ''Ensuring Wellness and Wellbeing of Service-Members and their Families''; and

(2) the report, dated July 2019, of the National Academies of Science, Engineering and Medicine, titled ''Strengthening the Military Family Readiness System for a Changing American Society''.

SEC. 562. SUPPORT SERVICES FOR MEMBERS OF SPECIAL OPERATIONS FORCES AND IMMEDIATE FAMILY MEMBERS.

(a) IN GENERAL.—Section 1788a of title 10, United States Code, is amended—

(1) in the heading—

*(A) by striking ''**Family support**'' and inserting ''**Support**'';*

*(B) by striking ''**immediate family members of**''; and*

*(C) by adding ''**; immediate family members**'' at the end;*

(2) in subsection (a), by striking ''for the immediate family members of members of the armed forces assigned to special operations forces'';

(3) in subsection (b)(1)—

(A) by striking ''the immediate family members''; and

(B) by inserting ''and the immediate family members of such members'' before the semicolon;

(4) in subsection (d)(2)—

(A) in subparagraph (A)—

(i) by striking ''family members of''; and

(ii) by inserting ''and immediate family members of such members'' before the period;

(B) in subparagraph (B)—

(i) by striking ''and on family members of'' and inserting a comma; and

(ii) by inserting '', and immediate family members of such members'' before the period; and

(5) in subsection (e)(4)—

(A) by inserting ''psychological support, spiritual support, and'' before ''costs'';

(B) by striking ''immediate family members of'';

(C) by inserting ''(including the reserve components)'' after ''members of the armed forces''; and

(D) by inserting '', and immediate family members of such members,'' before ''while''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of title 10, United States Code, is amended by striking the item relating to section 1788a and inserting the following:

''1788a. Support programs: members of special operations forces; immediate family members''.

SEC. 563. AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CERTAIN IN-HOME CHILD CARE PROVIDERS FOR MEMBERS OF THE ARMED FORCES AND SURVIVORS OF MEMBERS WHO DIE IN COMBAT IN THE LINE OF DUTY.

(a) AUTHORITY.—Section 1798 of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting '', or to an in-home child care provider,'' after ''youth program services'';

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

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

''(c) ELIGIBLE IN-HOME CHILD CARE PROVIDERS.—The Secretary may determine that an in-home child care provider is eligible for financial assistance under this section.''.

(b) IN-HOME CHILD CARE PROVIDER DEFINED.—Section 1800 of such title is amended by adding at the end the following:

''(5) The term 'in-home child care provider' means an individual (including a nanny, babysitter, or au pair) who provides child care services in the home of the child.''.

(c) REGULATIONS.—Not later than July 1, 2021, the Secretary of Defense shall prescribe regulations that establish eligibility requirements and amounts of financial assistance for an in-home child care provider under subsection (c) of section 1798 of title 10, United States Code, as amended by subsection (a).

SEC. 564. EXPANSION OF FINANCIAL ASSISTANCE UNDER MY CAREER ADVANCEMENT ACCOUNT PROGRAM.

Section 580F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting ''or maintenance (including continuing education courses)'' after ''pursuit''; and

(2) by adding at the end the following: ''Such financial assistance may be applied to the costs of national tests that may earn a participating military spouse course credits required for a degree approved under the program (including the College Level Examination Program tests and the Subject Standardized Tests of the Defense Activity for Non-Traditional Education Support Division of the Department of Defense).''

SEC. 565. CHILD CARE.

(a) 24-HOUR CHILD CARE.—If the Secretary of Defense determines it feasible, the Secretary shall furnish child care to each child of a member of the Armed Forces or employee of the Department of Defense while that member or employee works on rotating shifts at a military installation.

(b) METRICS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall develop and implement metrics to evaluate the effectiveness of the child care priority system of the Department of Defense, including—

(1) the speed of placement for children of members of the Armed Forces on active duty;

(2) the type of child care offered;

(3) available spaces in such system, if any; and

(4) other metrics to monitor the child care priority system determined by the Secretary.

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the results of a study that evaluates—

(1) the sufficiency of the stipend furnished by the Secretary to members of the Armed Forces for civilian child care; and

(2) whether the amount of such stipend should be based on—

(A) cost of living in the applicable locale; and

(B) the capacity of licensed civilian child care providers in the local market.

SEC. 566. CONTINUATION OF PAID PARENTAL LEAVE UPON DEATH OF CHILD.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the regulations prescribed pursuant to subsections (i) and (j) of section 701 of title 10, United States Code, to provide that the eligibility of primary and secondary caregivers for paid parental leave that has already been approved shall not terminate upon the death of the child for whom such leave is taken.

SEC. 567. STUDY AND REPORT ON THE PERFORMANCE OF THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) STUDY.—The Secretary of Defense shall conduct a study on the performance of the Department of Defense Education Activity.

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

(1) A review of the curriculum relating to health, resiliency, and nutrition taught in schools operated by the Department of Defense Education Activity and a comparison of such curriculum to appropriate education benchmarks.

(2) An analysis of the outcomes experienced by students in such schools, as measured by—

(A) the performance of such students on the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)); and

(B) any other methodologies used by the Department of Defense Education Activity to measure individual student outcomes.

(3) An assessment of the effectiveness of the School Liaison Officer program of the Department of Defense Education Activity in achieving the goals of the program with an emphasis on goals relating to special education and family outreach.

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the findings of the study conducted under subsection (a).

SEC. 568. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE STRUCTURAL CONDITION OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the structural condition of schools of the Department of Defense Education Activity, both within the continental United States (CONUS) and outside the continental United States (OCONUS).

(b) VIRTUAL SCHOOLS.—The report shall include an assessment of the virtual infrastructure or other means by which students attend Department of Defense Education Activity schools that have no physical structure, including the satisfaction of the military families concerned with such infrastructure or other means.

SEC. 569. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) PILOT PROGRAM AUTHORIZED.—Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which a dependent of a full-time, active-duty member of the Armed Forces may enroll in a covered DODEA school at the military installation to which the member is assigned, on a space-available basis as described in subsection (c), without regard to whether the member resides on the installation as described in 2164(a)(1) of title 10, United States Code.

(b) PURPOSES.—The purposes of the pilot program under this section are—

(1) to evaluate the feasibility and advisability of expanding enrollment in covered DODEA schools; and

(2) to determine how increased access to such schools will affect military and family readiness.

(c) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A student participating in the pilot program under this section may be enrolled in a covered DODEA school only if the school has the capacity to accept the student, as determined by the Director of the Department of Defense Education Activity.

(d) LOCATIONS.—The Secretary of Defense shall carry out the pilot program under this section at not more than four military installations at which covered DODEA schools are located. The Secretary shall select military installations for participation in the program based on—

(1) the readiness needs of the Secretary of a the military department concerned; and

(2) the capacity of the DODEA schools located at the installation to accept additional students, as determined by the Director of the Department of Defense Education Activity.

(e) TERMINATION.—The authority to carry out the pilot program under this section shall terminate four years after the date of the enactment of this Act.

(f) COVERED DODEA SCHOOL DEFINED.—In this Section, the term ''covered DODEA school'' means a domestic dependent elementary or secondary school operated by the Department of Defense Education Activity that—

(1) has been established on or before the date of the enactment of this Act; and

(2) is located in the continental United States.

SEC. 569A. CONTINUED ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2021 in division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $40,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—Of the amount authorized to be appropriated for fiscal year 2021 in division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 20 U.S.C. 7703a).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 569B. STANDARDIZATION OF THE EXCEPTIONAL FAMILY MEMBER PROGRAM.

(a) POLICY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall, to the extent practicable, standardize the Exceptional Family Member Program (in this section referred to as the ''EFMP'') across the military departments.

(b) ELEMENTS.—The EFMP, standardized under subsection (a), shall include the following:

(1) Processes for the identification and enrollment of dependents of covered members with special needs.

(2) A process for the permanent change of orders for covered members, to ensure seamless continuity of services at the new permanent duty station.

(3) A review process for installations to ensure that health care furnished through the TRICARE program, special needs education programs, and installation-based family support programs are available to military families enrolled in the EFMP.

(4) A standardized respite care benefit across the covered Armed Forces, including the number of hours available under such benefit to military families enrolled in the EFMP.

(5) Outcomes and metrics to evaluate the EFMP.

(6) A requirement that the Secretary of each military department provide a dedicated EFMP attorney, who specializes in education law, at each military installation—

(A) the Secretary determines is a primary receiving installation for military families with special needs; and

(B) in a State that the Secretary determines has historically not supported families enrolled in the EFMP.

(7) The option for a family enrolled in the EFMP to continue to receive all services under that program and the bachelor allowance for housing if—

(A) the covered member receives a new permanent duty station; and

(B) the covered member and family elect for the family not to relocate with the covered member.

(8) A process to discuss policy challenges and opportunities, best practices adopted across the covered Armed Forces, a forum period for discussion with members of military families with special needs, and other matters the Secretary of Defense determines appropriate.

(c) CASE MANAGEMENT.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop an EFMP case management model, including the following:

(1) A single EFMP office, located at the headquarters of each covered Armed Force, to oversee implementation of the EFMP and coordinate health care services, permanent change of station order processing, and educational support services for that covered Armed Force.

(2) An EFMP office at each military installation with case managers to assist each family of a covered member in the development of a plan that addresses the areas specified in subsection (b)(1).

(d) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the items identified under subsections (a), (b), and (c), including any recommendations of the Secretary regarding legislation.

(e) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) whether military families have higher rates of disputes and loss of free and appropriate public education under section 504 of the Rehabilitation Act of 1973 (Public Law 93–112; 29 U.S.C. 794) than civilian counterparts; and

(2) an analysis of the number of due process hearings that were filed by school districts against children of members of the Armed Forces.

(f) DEFINITIONS.—In this section:

(1) The term ''covered Armed Force'' means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term ''covered member'' means a member—

(A) of a covered Armed Force; and

(B) with a dependent with special needs.

Subtitle H—Diversity and Inclusion

SEC. 571. DIVERSITY AND INCLUSION REPORTING REQUIREMENTS.

(a) STANDARD DIVERSITY METRICS AND ANNUAL REPORTING REQUIREMENT.—Section 113 of title 10, United States Code is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1), the following new paragraph (2):

''(2) a report from each military department on the goals, barriers, and status of diversity and inclusion of that military department;''; and

(2) in subsection (g)(1)(B), by inserting after clause (vi), the following new clause (vii):

''(vii) Strategic metrics and benchmarks evaluating how the officer and enlisted corps reflects the eligible United States population across all armed forces and ranks.'';

(3) by redesignating subsections (m) and (n) as subsections (n) and (o), respectively; and

(4) by inserting after subsection (k), the following new subsections (l) and (m):

''(l)(1) The Secretary of Defense shall establish and maintain a standard set of strategic metrics and benchmarks toward objectives of:

''(A) an officer and enlisted corps that reflects the eligible U.S. population across all armed forces and ranks; and

''(B) a military force that is able to prevail in its wars, prevent and deter conflict, defeat adversaries and succeed in a wide range of contingencies, and preserve and enhance the all-volunteer force.

''(2) In implementing the requirement in paragraph (1), the Secretary shall—

''(A) establish a universal data collection system to ensure comparability across each military department;

''(B) establish standard definitions of demographic groups, a common methodology, and a common reporting structure across each military department;

''(C) conduct annual barrier analyses to review demographic diversity patterns across the military life cycle, starting with accessions; and

''(D) each year meet with the Secretaries of the military departments, the Chiefs of Staff of the armed forces, and the Chairman of the Joint Chiefs of Staff to assess progress towards the objective under paragraph (1) and establish recommendations to meet such objective.

''(m) The Secretary shall include in each national defense strategy under subsection (g)—

''(1) the demographics, disaggregated by grade, ethnicity, race, gender, and military occupational specialty, for—

''(A) accession into the armed forces;

''(B) the enlisted corps;

''(C) the commissioned officers;

''(D) graduates of the military service academies;

''(E) the rate of promotion in the promotion zone;

''(F) the rate of promotion below the zone for promotion;

''(G) the rates of retention;

''(H) command selection;

''(I) special assignments;

''(J) career broadening assignments;

''(K) aides to general officers and flag officers; and

''(L) any other matter the Secretary determines appropriate;

''(2) an analysis of assignment patterns by ethnicity, race, and gender;

''(3) an analysis of attitudinal survey data by ethnicity, race, and gender;

''(4) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

''(5) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

''(6) summaries of progress made on previous actions.''.

(b) NATIONAL GUARD DIVERSITY REPORTING.—Section 10504 of title 10, United States Code is amended by adding at the end the following new subsection (d):

''(d) REPORT ON DIVERSITY AND INCLUSION.—

''(1) IN GENERAL.—Not less than once every four years, the Chief of the National Guard Bureau shall report in writing to the Secretary of Defense and the Congress on the status of diversity in each State, Territory, and the District of Columbia for all ranks of the Army and Air National Guard.

''(2) ELEMENTS.—Each report under paragraph (1) shall include—

''(A) the demographics, disaggregated by State, grade, ethnicity, race, gender, and military occupational specialty, for—

''(i) accession into the National Guard;

''(ii) the enlisted corps;

''(iii) the commissioned officers;

''(iv) the rate of promotion in the promotion zone;

''(v) the rate of promotion below the zone for promotion;

''(vi) the rates of retention;

''(vii) command selection;

''(viii) special assignments;

''(ix) career broadening assignments;

''(x) aides to a general officer; and

''(xi) any other matter the Chief of the National Guard Bureau determines appropriate;

''(B) an analysis of assignment patterns by ethnicity, race, and gender;

''(C) an analysis of attitudinal survey data by ethnicity, race, and gender;

''(D) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

''(E) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

''(F) summaries of progress made on previous actions.

''(3) PUBLIC AVAILABILITY.—The Chief of the National Guard Bureau shall—

''(A) publish on an appropriate publicly available website of the National Guard the reports required under paragraph (1); and

''(B) ensure that any data included with the report is made available in a machine-readable format that is downloadable, searchable, and sortable.''.

(c) COAST GUARD DIVERSITY REPORTING.—Section 5101 of title 14, United States Code is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1), the following new paragraph (2):

''(2) the goals, barriers, and status of diversity and inclusion;''; and

(3) by adding at the end the following new subsection (c):

''(c) Not less than once every four years, the Secretary shall include in the annual request under subsection (a)—

''(1) the demographics, disaggregated by grade, ethnicity, race, gender, and military occupational specialty, for—

''(A) accession into the Coast Guard;

''(B) the enlisted corps;

''(C) the commissioned officers;

''(D) graduates of the Coast Guard Academy;

''(E) the rate of promotion in the promotion zone;

''(F) the rate of promotion below the zone for promotion;

''(G) the rates of retention;

''(H) command selection;

''(I) special assignments;

''(J) career broadening assignments;

''(K) aides to a flag officer; and

''(L) any other matter the Secretary determines appropriate;

''(2) an analysis of assignment patterns by ethnicity, race, and gender;

''(3) an analysis of attitudinal survey data by ethnicity, race, and gender;

''(4) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

''(5) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

''(6) summaries of progress made on previous actions.''.

(d) REQUIREMENT TO CONSIDER MINORITY OFFICERS FOR O–9 AND O–10 GRADES.—

(1) ARMY, NAVY, AIR FORCE, MARINE CORPS, AND SPACE FORCE.—Section 601 of title 10, United States Code is amended by adding at the end the following new subsections:

''(e) The Chairman of the Joint Chiefs of Staff shall consider all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates prior to recommending to the President an initial appointment to the grade of lieutenant general or vice admiral, or an initial appointment to the grade of general or admiral.

''(f) When seeking the advice and consent of the Senate under subsection (a), the President

shall submit to the Committee on Armed Services of the Senate a certification that—

''(1) all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates were considered for appointment; and

''(2)(A) none of the candidates under subparagraph (A) met the qualifications needed by an officer serving in that position or office to carry out effectively the duties and responsibilities of that position or office; or

''(B) the officers in the positions designated under subsection (a) represent the diversity of the armed forces to the extent practicable.''.

(2) COAST GUARD.—Section 305(a) of title 14, United States Code, is amended by adding at the end the following new paragraphs:

''(4) The Commandant shall consider all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates prior to recommending to the President an initial appointment to the grade of vice admiral, or an initial appointment to the grade of admiral.

''(5) When seeking the advice and consent of the Senate under subsection (a), the President shall submit to the committee of the Senate with jurisdiction over the department in which the Coast Guard is operating a certification that—

''(A) all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates were considered for appointment; and

''(B)(i) none of the candidates under subparagraph (A) met the qualifications needed by an officer serving in that position or office to carry out effectively the duties and responsibilities of that position or office; or

''(ii) the officers in the positions designated under subsection (a) represent the diversity of the armed forces to the extent practicable.''.

SEC. 572. ESTABLISHMENT OF DIVERSITY AND INCLUSION ADVISORY COUNCIL OF THE DEPARTMENT OF DEFENSE.

(a) ESTABLISHMENT.—Chapter 7 of title 10, United States Code, is amended by inserting before section 187 the following:

''§ 186. Diversity and Inclusion Advisory Council

''(a) ESTABLISHMENT.—The Secretary of the Department of Defense (referred to in this section as the 'Secretary') shall establish a council to be known as the 'Diversity and Inclusion Advisory Council of the Department of Defense' (referred to in this section as the 'Council').

''(b) DUTIES.—The Council shall provide advice and recommendations to the Secretary on matters concerning diversity and inclusion in the Department of Defense, relating to the following:

''(1) Aligning diversity and inclusion with the strategic goals of the Department of Defense.

''(2) Conducting strategic outreach efforts to identify, attract, and recruit individuals that represent the demographic diversity of the United States.

''(3) Developing, mentoring, and retaining a diverse and inclusive Armed Forces.

''(4) Encouraging leadership development through diversity and inclusion practices and processes.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of not fewer than 22 members, including the Federal officials and officers specified in paragraph (2), and not fewer than 12 members appointed by the Secretary from nongovernmental positions described in paragraph (3).

''(2) FEDERAL OFFICIALS AND OFFICERS.—The Federal officials and officers specified in this paragraph are the following:

''(A) The Chief Diversity Officer of the Department of Defense.

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

''(C) The Chief of Staff of the Army.

''(D) The Chief of Naval Operations.

''(E) The Chief of Staff of the Air Force.

''(F) The Chief of Space Operations.

''(G) The Chief of Staff of the Air Force.

''(H) The Commandant of the Marine Corps.

''(I) The Commandant of the Coast Guard.

''(J) The Chief of the National Guard Bureau.

''(3) NONGOVERNMENTAL POSITIONS.—Nongovernmental positions described in this paragraph are the following:

''(A) Five presidents or chancellors of institutions of higher education, including private and public institutions representing diverse areas of the United States.

''(B) Senior leaders of the defense industries of the United States.

''(C) Senior leaders of veterans or military service organizations.

''(D) Veterans (as defined in section 101 of title 38).

''(E) Others determined appropriate by the Secretary.

''(4) TIMING OF APPOINTMENTS.—Appointments to the Council shall be made not later than for months after the date of the enactment of this Act.

''(5) TERMS.—

''(A) IN GENERAL.—Each member shall be appointed for a term of two years.

''(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that term until a successor has been appointed.

''(6) CHAIRPERSON AND VICE CHAIRPERSON.—

''(A) CHAIRPERSON.—The Chairperson of the Council shall be the Chief Diversity Officer of the Department of Defense.

''(B) VICE CHAIRPERSON.—The Vice Chairperson shall be designated by the Secretary at the time of the appointment of the members pursuant to paragraph (4), and when a vacancy of the Vice Chairperson occurs, as the case may be.

''(d) MEETING.—

''(1) MEETINGS.—The Council shall meet not fewer than four times each year at the call of the Chairperson or Vice Chairperson.

''(2) QUORUM.—Twelve members of the Council, including six appointed under subsection (c)(2) and six appointed under subsection (c)(3), shall constitute a quorum.

''(e) COMPENSATION.—

''(1) PROHIBITION ON COMPENSATION.—Except as provided in paragraph (2), members of the Council may not receive additional pay, allowances, or benefits by reason of their service on the Council.

''(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

''(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Council, the Secretary shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this Act.

''(g) REPORTS.—Not later than 180 days after the date on which the Council holds its initial meeting under subsection (d) and annually thereafter, the Council shall submit to the congressional defense committees a report containing a detailed statement of the advice and recommendations of the Council pursuant to subsection (b).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 10, United States Code, is amended by inserting before the item relating to section 187 the following:

''186. Diversity and Inclusion Advisory Council.''.

SEC. 573. ESTABLISHMENT OF SPECIAL INSPECTOR GENERAL FOR RACIAL AND ETHNIC DISPARITIES IN THE ARMED FORCES; AMENDMENTS TO INSPECTOR GENERAL ACT.

(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) NOMINATION; APPOINTMENT.—The head of the Office of the Special Inspector General for Racial and Ethnic Disparities is the Special Inspector General for Racial and Ethnic Disparities (in this section referred to as the ''Inspector General''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(B) QUALIFICATIONS.—The appointment of the Inspector General shall be made solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(C) DEADLINE FOR NOMINATION.—The nomination of an individual as Inspector General shall be made not later than 90 days after the date of the enactment of this Act.

(D) COMPENSATION.—The annual rate of basic pay of the Inspector General shall be the annual rate of basic pay provided for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(E) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(F) REMOVAL.—The Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(4) ASSISTANT INSPECTORS GENERAL.—The Inspector General shall, in accordance with applicable laws and regulations governing the civil service, appoint an Assistant Inspector General for Military Justice who shall have the responsibility for auditing and investigation activities relating to racial and ethnic disparities within the military justice system.

(5) SUPERVISION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Inspector General shall report directly to, and be under the general supervision of the Secretary of Defense.

(B) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation related to racial and ethnic disparities or from issuing any subpoena during the course of any such audit or investigation.

(6) DUTIES.—

(A) OVERSIGHT OF MILITARY JUSTICE.—It shall be the duty of the Inspector General to conduct, supervise, and coordinate audits and investigations of—

(i) the effect of military justice policies and practices on racial and ethnic disparities, including overrepresentation of minorities in actions related to investigations, courts-martial, nonjudicial punishments, and other military justice actions as determined by the Inspector General;

(ii) the effect of military personnel policies and practices, including recruiting, accessions, and promotions, on racial and ethnic disparities, including underrepresentation of minorities among members of the Armed Forces under the jurisdiction of the Secretary of a military department in grades above E–7;

(iii) the scope and efficacy of existing diversity and inclusion offices and programs within the Department of Defense; and

(iv) white supremacist activities among military personnel and any other issues, determined by the Inspector General, necessary to address racial and ethnic disparities within the Armed Forces under the jurisdiction of the Secretary of a military department.

(B) OTHER DUTIES RELATED TO OVERSIGHT.—The Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Inspector General considers appropriate to discharge the duties under subparagraph (A).

(C) DUTIES AND RESPONSIBILITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In addition to the duties specified in 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 authorized to be appropriated in this Act for Operation and Maintenance, Defense-wide, and no additional amounts are authorized to be appropriated to carry out this section.

(b) AMENDMENTS TO THE INSPECTOR GENERAL ACT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting ''(1)'' before ''An Inspector General'';

(B) by inserting after the first sentence the following: ''An Inspector General may only be removed by the President before the expiration of the term of the Inspector General for permanent incapacity, neglect of duty, malfeasance, conviction of a felony or conduct involving moral turpitude, knowing violation of a law, gross mismanagement, gross waste of funds, or abuse of authority.''; and

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

''(2) If an Inspector General is removed by the President under paragraph (1) fewer than 30 days after the President has communicated in writing the reasons for such removal pursuant to paragraph (1), the Inspector General shall submit to the Council of the Inspectors General on Integrity and Efficiency a report that includes the following information:

''(A) A description of the facts and circumstances of each investigation involving a senior government employee (as defined in section 5 of this Act) being conducted by that Inspector General at the time of such removal.

''(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.''.

SEC. 574. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, in paragraph (1), by inserting '', racist, anti-Semitic, or supremacist'' after ''extremist''.

SEC. 575. REPORT ON DEMOGRAPHICS OF OFFICERS APPOINTED TO CERTAIN GRADES.

Not later than the first October 1 to occur after the date of the enactment of this Act, and annually thereafter, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing the gender and race of each individual who received an appointment under section 531 or 601 of title 10, United States Code, during the immediately preceding fiscal year.

SEC. 576. PLANS TO INCREASE FEMALE AND MINORITY REPRESENTATION IN THE ARMED FORCES.

(a) PLANS REQUIRED.—The Secretary of Defense and each Secretary of a military department shall develop plans to increase, with respect to female and minority members of the Armed Forces under the jurisdiction of that Secretary, the following:

(1) Recruitment.

(2) Retention.

(3) Representation in grades above E–7.

(b) ELEMENTS.—Each plan developed under this section shall include clearly defined goals, performance measures, and timeframes.

(c) GOALS.—A goal under subsection (b) shall be to exceed, by not less than 100 percent, the rate at which the number of members described in subsection (a)(3) increased during the five years immediately preceding the date of the enactment of this Act.

(d) SUBMITTAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and each Secretary of a military department shall submit to the committees on Armed Services of the Senate and the House of Representatives a copy of each plan developed under this section by that Secretary.

(e) REPORT.—Three months after submitting a plan under subsection (d) and quarterly thereafter for five years, the Secretary of Defense and each Secretary of a military department shall submit to the committees on Armed Services of the Senate and the House of Representatives a report indicating the number of female and minority members in grades above E–7 in

each Armed Force under the jurisdiction of that Secretary.

SEC. 577. EVALUATION OF BARRIERS TO MINORITY PARTICIPATION IN CERTAIN UNITS OF THE ARMED FORCES.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall seek to enter into an agreement with a federally funded research and development center with relevant expertise to conduct an evaluation of the barriers to minority participation in covered units of the Armed Forces.

(2) ELEMENTS.—The evaluation required under paragraph (1) shall include the following elements:

(A) A description of the racial, ethnic, and gender composition of covered units.

(B) A comparison of the participation rates of minority populations in covered units to 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 of the RAND Corporation titled ''Barriers to Minority Participation in Special Operations Forces'' 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.

(b) DESIGNATION.—The study conducted under subsection (a) shall be known as the ''Study on Reducing Barriers to Minority Participation in Elite Units in the Armed Services''.

(c) IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than March 1, 2023, the Secretary of Defense shall commence the implementation of each recommendation included in the final report submitted under subsection (a)(3).

(2) EXCEPTIONS.—

(A) DELAYED IMPLEMENTATION.—The Secretary of Defense may commence implementation of a recommendation described paragraph (1) later than March 1, 2023, if—

(i) the Secretary submits to the congressional defense committees, not later than January 1, 2023, written notice of the intent of the Secretary to delay implementation of the recommendation; and

(ii) includes, as part of such notice, a specific justification for the delay in implementing the recommendation.

(B) NONIMPLEMENTATION.—The Secretary of Defense may elect not to implement a recommendation described in paragraph (1), if—

(i) the Secretary submits to the congressional defense committees, not later than January 1, 2023, written notice of the intent of the Secretary not to implement the recommendation; and

(ii) includes, as part of such notice—

(I) the reasons for the Secretary's decision not to implement the recommendation; and

(II) a summary of alternative actions the Secretary will carry out to address the purposes underlying the recommendation.

(3) IMPLEMENTATION PLAN.—For each recommendation that the Secretary implements under this subsection, the Secretary shall submit to the congressional defense committees an implementation plan that includes—

(A) a summary of actions the Secretary has carried out, or intends to carry out, to implement the recommendation; and

(B) a schedule, with specific milestones, for completing the implementation of the recommendation.

(d) COVERED UNITS DEFINED.—In this section, the term ''covered units'' means the following:

(1) Army Special Forces.

(2) Army Rangers.

(3) Navy SEALs.

(4) Air Force Combat Control Teams.

(5) Air Force Pararescue.

(6) Air Force Special Reconnaissance.

(7) Marine Raider Regiments.

(8) Marine Corps Force Reconnaissance.

(9) Coast Guard Maritime Security Response Team.

(10) Any other forces designated by the Secretary of Defense as special operations forces.

(11) Pilot and navigator military occupational specialties.

Subtitle I—Decorations and Awards

SEC. 581. ESTABLISHMENT OF THE ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the ''Atomic Veterans Service Medal'', to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SEC. 582. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR RAMIRO F. OLIVO FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the United States Armed Forces, the President of the United States is authorized to award the Distinguished-Service Cross under section 7272 of such title to Ramiro F. Olivo for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor described in this subsection are the actions of Ramiro F. Olivo on May 9, 1968, as a member of the Army while serving in the Republic of Vietnam with Company C, 1st Battalion, 5th Cavalry Regiment, 1st Cavalry Division.

Subtitle J—Miscellaneous Reports and Other Matters

SEC. 591. EXPANSION OF DEPARTMENT OF DEFENSE STARBASE PROGRAM.

(a) IN GENERAL.—Section 2193b of title 10, United States Code, is amended—

*(1) in the section heading, by striking ''**science, mathematics, and technology**'' and inserting ''**science, technology, engineering, art and design, and mathematics**'';*

(2) in subsection (a), by striking ''science, mathematics, and technology'' and inserting ''science, technology, engineering, art and design, and mathematics''; and

(3) in subsection (b), by striking ''mathematics, science, and technology'' and inserting ''science, technology, engineering, art and design, and mathematics''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 111 of title 10, United States Code, is amended by striking the item relating to section 2193b and inserting the following new item:

''2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, technology, engineering, art and design, and mathematics.''.

SEC. 592. INCLUSION OF CERTAIN OUTLYING AREAS IN THE DEPARTMENT OF DEFENSE STARBASE PROGRAM.

Section 2193b(h) of title 10, United States Code, is amended by inserting ''the Commonwealth of the Northern Mariana Islands, American Samoa,'' before ''and Guam''.

SEC. 593. PROHIBITION ON CHARGING FOR OR COUNTING CERTAIN ACRONYMS ON HEADSTONES OF INDIVIDUALS INTERRED AT ARLINGTON NATIONAL CEMETERY.

The Secretary of the Army shall prescribe regulations or establish policies that, with regards to the headstone for an individual interred at Arlington National Cemetery, prohibit the charging of a fee for, or counting towards character or line count, the following acronyms:

(1) ''KIA'' for an individual killed in action.

(2) ''MIA'' for an individual who was missing in action.

(3) ''POW'' for an individual who was a prisoner of war.

SEC. 594. REPORT ON PLACEMENT OF MEMBERS OF THE ARMED FORCES IN ACADEMIC STATUS WHO ARE VICTIMS OF SEXUAL ASSAULT ONTO NON-RATED PERIODS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability, and current practice (if any), of the Department of Defense of granting requests by members of the Armed Forces who are in academic status (whether at the military service academies or in developmental education programs) and who are victims of sexual assault to be placed on a Non-Rated Period for their performance report.

SEC. 595. SENSE OF CONGRESS REGARDING ADVERTISING RECRUITING EFFORTS.

It is the Sense of Congress that the Chiefs of the Armed Forces, in coordination with the Recruiting Commands of the Armed Forces, should give all due consideration to the use of local broadcasting and traditional news publishers when advertising.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY.

Effective on January 1, 2021, the rates of monthly basic pay for members of the uniformed services are increased by 3.0 percent.

SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REGULAR MEMBERS.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 402a the following new section:

''§ 402b. Basic needs allowance for low-income regular members

''(a) ALLOWANCE REQUIRED.—(1) Subject to paragraph (2), the Secretary of Defense shall pay to each covered member a basic needs allowance in the amount determined for such member under subsection (b).

''(2) In the event a household contains two or more covered members entitled to receive the allowance under this section in a given year, only one allowance may be paid for that year to a covered member among such covered members whom such covered members shall jointly elect.

''(b) AMOUNT OF ALLOWANCE FOR A COVERED MEMBER.—(1) The amount of the monthly allowance payable to a covered member under subsection (a) for a year shall be the aggregate amount equal to—

''(A) the aggregate amount equal to—

''(i) 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year; minus

''(ii) the gross household income of the covered member during the preceding year; and

''(B) divided by 12.

''(2) The monthly allowance payable to a covered member for a year shall be payable for each of the 12 months following March of such year.

''(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than December 31 each year, the Director of the Defense Finance and Accounting Service shall notify, in writing, each individual whom the Director estimates will be a covered member during the following year of the potential entitlement of that individual to the allowance described in subsection (a) for that following year.

''(B) The preliminary notice under subparagraph (A) shall include information regarding financial management and assistance programs administered by the Secretary of Defense for which a covered member is eligible.

''(2) Not later than January 31 each year, each individual who seeks to receive the allowance for such year (whether or not subject to a notice for such year under paragraph (1)) shall submit to the Director such information as the Director shall require for purposes of this section in order to determine whether or not such individual is a covered member for such year.

''(3) Not later than February 28 each year, the Director shall notify, in writing, each individual the Director determines to be a covered member for such year.

''(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1) A covered member otherwise entitled to receive the allowance under subsection (a) for a year may elect, in writing, not to receive the allowance for such year. Any election under this subsection shall be effective only for the year for which made. Any election for a year under this subsection is irrevocable.

''(2) A covered member who does not submit information described in subsection (d)(2) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered member' means a regular member of an armed force under the jurisdiction of the Secretary of a military department—

''(A) who has completed initial entry training;

''(B) whose gross household income during the most recent year did not exceed an amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year; and

''(C) who does not elect under subsection (d) not to receive the allowance for such year.

''(2) The term 'gross household income' of a covered member for a year for purposes of paragraph (1)(B) does not include any basic allowance for housing received by the covered member (and any dependents of the covered member in the household of the covered member) during such year under section 403 of this title.

''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Subject to subsection (e)(2), such regulations shall specify the income to be included in, and excluded from, the gross household income of individuals for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 402a the following new item:

''402b. Basic needs allowance for low-income regular members.''.

SEC. 603. REORGANIZATION OF CERTAIN ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.

(a) PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL UNITED STATES.—

(1) TRANSFER TO CHAPTER 7.—Section 475 of title 37, United States Code, is transferred to chapter 7 of such title, inserted after section 403b, and redesignated as section 405.

(2) REPEAL OF TERMINATION PROVISION.—Section 405 of title 37, United States Code, as added by paragraph (1), is amended by striking subsection (f).

(b) ALLOWANCE FOR FUNERAL HONORS DUTY.—

(1) TRANSFER TO CHAPTER 7.—Section 495 of title 37, United States Code, is transferred to chapter 7 of such title, inserted after section 433a, and redesignated as section 435.

(2) REPEAL OF TERMINATION PROVISION.—Section 435 of title 37, United States Code, as added by paragraph (1), is amended by striking subsection (c).

(c) CLERICAL AMENDMENTS.—

(1) CHAPTER 7.—The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended—

(A) by inserting after the item relating to section 403b the following new item:

''405. Travel and transportation allowances: per diem while on duty outside the continental United States.''; and

(B) by inserting after the item relating to section 433a the following new item:

''435. Funeral honors duty: allowance.''.

(2) CHAPTER 8.—The table of sections at the beginning of chapter 8 of title 37, United States Code, is amended by striking the items relating to sections 475 and 495.

Subtitle B—Bonuses and Special Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve 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 CERTAIN HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

Section 351(b) of title 37, United States Code, is amended by striking ''$250'' both places it appears and inserting ''$275''.

SEC. 613. STANDARDIZATION OF PAYMENT OF HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 351(c) of title 37, United States Code, is amended to read as follows:

''(c) PAYMENT.—Hazardous duty pay shall be paid on a monthly basis.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020, and shall apply with respect to duty performed in any month beginning on or after that date.

SEC. 614. CLARIFICATION OF 30 DAYS OF CONTINUOUS DUTY ON BOARD A SHIP REQUIRED FOR FAMILY SEPARATION ALLOWANCE FOR MEMBERS OF THE UNIFORMED SERVICES.

Section 427(a)(1)(B) of title 37, United States Code, is amended by inserting ''(or under orders to remain on board the ship while at the home port)'' after ''of the ship''.

SEC. 615. EXPANSION OF REIMBURSABLE STATE LICENSURE AND CERTIFICATION COSTS FOR A MILITARY SPOUSE ARISING FROM RELOCATION.

Section 476(p)(5) of title 37, United States Code, is amended in the matter preceding subparagraph (A), by striking ''and'' and inserting ''fees, continuing education courses, and''.

Subtitle C—Family and Survivor Benefits

SEC. 621. EXPANSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE SERVICES OR YOUTH PROGRAM SERVICES FOR SURVIVORS OF MEMBERS OF THE ARMED FORCES WHO DIE IN THE LINE OF DUTY.

Section 1798(a) of title 10, United States Code, is amended by striking ''in combat-related incidents''.

SEC. 622. EXPANSION OF DEATH GRATUITY FOR ROTC GRADUATES.

Section 623(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''the date of the enactment of this Act'' and inserting ''May 1, 2017''.

SEC. 623. RECALCULATION OF FINANCIAL ASSISTANCE FOR PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) IN GENERAL.—Not later than July 1, 2021, the Secretary of Defense shall develop a method by which to determine appropriate amounts of financial assistance under section 1798 of title 10, United States Code. In such development, the Secretary shall take into consideration the following:

(1) Grades of members of the Armed Forces.

(2) The cost of living in an applicable locale.

(3) Whether a military installation has a military child development center, including any wait list length.

(4) Whether a military child development center has vacant child care employee positions.

(5) The capacity of licensed civilian child care providers in an applicable locale.

(6) The average cost of licensed civilian child care services available in an applicable locale.

(b) REPORT.—Not later than August 1, 2021, the Secretary shall submit a report the Committees on Armed Services of the Senate and the House of Representatives on the method developed under this section.

(c) DEFINITIONS.—In this section, the terms ''child care employee'' and ''military child development center'' have the meanings given those terms in section 1800 of title 10, United States Code.

SEC. 624. PRIORITY FOR CERTAIN MILITARY FAMILY HOUSING TO A MEMBER OF THE ARMED FORCES WHOSE SPOUSE AGREES TO PROVIDE FAMILY HOME DAY CARE SERVICES.

(a) PRIORITY.—If the Secretary of a military department determines that not enough child care employees are employed at a military child development center on a military installation under the jurisdiction of that Secretary to adequately care for the children of members of the Armed Forces stationed at that military installation, the Secretary, to the extent practicable, may give priority for covered military family housing to a member whose spouse is an eligible military spouse.

(b) NUMBER OF PRIORITY POSITIONS.—A Secretary of a military department may grant priority under subsection (a) only to the minimum number of eligible military spouses that the Secretary determines necessary to provide adequate child care to the children of members stationed at a military installation described in subsection (a).

(c) LIMITATION.—Nothing in this section may be construed to require the Secretary of a military department to provide covered military family housing that has been adapted for disabled individuals to a member under this section instead of to a member with one more dependents enrolled in the Exceptional Family Member Program.

(d) RESULT OF FAILURE TO PROVIDE FAMILY HOME DAY CARE SERVICES OR LOSS OF ELIGIBILITY.—The Secretary of the military department concerned may remove a household provided covered military family housing under this section therefrom if the Secretary determines the spouse of that member has failed to abide by an agreement described in subsection (e)(3) or has ceased to be an eligible military spouse. Such removal may not occur sooner than 60 days after the date of such determination.

(e) DEFINITIONS.—In this section:

(1) The terms ''child care employee'', ''family home day care'', and ''military child development center'' have the meanings given those terms in section 1800 of title 10, United States Code.

(2) The term ''covered military family housing'' means military family housing—

(A) located on a military installation described in subsection (a); and

(B) that the Secretary of the military department concerned determines is large enough to provide family home day care services to no fewer than six children (not including children in the household of the eligible military spouse).

(3) The term ''eligible military spouse'' means a military spouse who—

(A) is eligible for military family housing;

(B) is eligible to provide family home day care services;

(C) has provided family home day care services for at least one year; and

(D) agrees in writing to provide family home day care services in covered military family housing for a period determined by the Secretary of the military department concerned.

SEC. 625. STUDY ON FEASIBILITY OF TSP CONTRIBUTIONS BY MILITARY SPOUSES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on potential enhancements to the military Thrift Savings Plan administered by the Federal Retirement Thrift Investment Board.

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

(1) An evaluation of the effect of allowing military spouses to contribute or make eligible retirement account transfers to the military Thrift Savings Plan account of the member of the Armed Forces to whom that military spouse in married.

(2) Legislation the Secretary determines necessary to permit contributions and transfers described in paragraph (1).

(3) An evaluation of whether and to what extent employer-funded matching of contributions described in paragraph (1) may encourage further participation in the military Thrift Savings Plan.

(c) REPORTING.—

(1) INITIAL REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the Federal Retirement Thrift Investment Board a report on the results of the study under subsection (a).

(2) ANALYSIS.—Not later than 60 days after receiving the report under paragraph (1), the Federal Thrift Savings Retirement Board shall analyze the report under paragraph (1), generate recommendations and comments it determines appropriate, and submit such analysis, recommendations, and comments to the Secretary.

(3) FINAL REPORT.—Not later than April 1, 2021, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives the report under paragraph (1) and the analysis, recommendations, and comments under paragraph (2).

Subtitle D—Defense Resale Matters

SEC. 631 . BASE RESPONDERS ESSENTIAL NEEDS AND DINING ACCESS.

(a) IN GENERAL.—Chapter 54 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1066. Use of commissary stores and MWR facilities: protective services civilian employees

''(a) ELIGIBILITY OF PROTECTIVE SERVICES CIVILIAN EMPLOYEES.—An individual employed as a protective services civilian employee at a military installation shall be permitted to purchase food and hygiene items at a commissary store or MWR retail facility located on that military installation.

''(b) USER FEE AUTHORITY.—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

''(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit cards for customer purchases, including expenses related to card network use and related transaction processing fees.

''(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

''(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

''(c) DEFINITIONS.—In this section:

''(1) The term 'MWR retail facility' has the meaning given that term in section 1063 of this title.

''(2) The term 'protective services civilian employee' means a position in any of the following series (or successor classifications) of the General Schedule:

''(A) Security Administration (GS–0080).

''(B) Fire Protection and Prevention (GS–0081).

''(C) Police (GS–0083).

''(D) Security Guard (GS–0085).

''(E) Emergency Management (GS–0089).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by adding at the end the following new item:

''1066. Use of commissary stores and MWR facilities: protective services civilian employees.''.

SEC. 632. FIRST RESPONDER ACCESS TO MOBILE EXCHANGES.

Section 1146 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) EMERGENCY RESPONSE PROVIDERS DURING A DECLARED MAJOR DISASTER OR EMERGENCY.—The Secretary of Defense shall prescribe regulations to allow an emergency response provider (as that term is defined in section 2 of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 101)) to use a mobile commissary or exchange store deployed to an area covered by a declaration of a major disaster or emergency under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).''.

SEC. 633. UPDATED BUSINESS CASE ANALYSIS FOR CONSOLIDATION OF THE DEFENSE RESALE SYSTEM.

(a) IN GENERAL.—Not later than March 1, 2021, the Chief Management Officer of the Department of Defense, in coordination with the Undersecretary of Defense for Personnel and Readiness, shall update the study titled ''Study to Determine the Feasibility of Consolidation of the Defense Resale Entities'' and dated December 4, 2018, to include a new business case analysis that—

(1) establishes new baselines for—

(A) savings from the costs of goods sold;

(B) costs of new information technology required for such consolidation; and

(C) costs of headquarters relocation arising from such consolidation; and

(2) addresses each recommendation for executive action in the Government Accountability Office report GAO–20–418SU.

(b) REVIEW AND COMMENT.—Not later than April 1, 2021, the Secretary of Defense shall make the updated business case analysis (in this section referred to as the ''updated BCA'') available to the Secretaries of the military departments for comment.

(c) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—Not later than June 1, 2021, the Secretary of Defense shall make any comments made under subsection (b) and the updated BCA available to the Committees on Armed Services of the Senate and the House of Representatives.

(d) DELAY OF CONSOLIDATION.—The Secretary of Defense may not take any action to consolidate military exchanges and commissaries until the Committees on Armed Services of the Senate and the House of Representatives notify the Secretary in writing of receipt and acceptance of the updated BCA.

Subtitle E—Other Personnel Benefits

SEC. 641. MAINTENANCE OF FUNDING FOR STARS AND STRIPES.

(a) FUNDING.—

(1) OPERATION AND MAINTENANCE.—Of the amounts authorized to be appropriated for fiscal year 2021 in Division D of this Act and available for operations and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $9,000,000 shall be made available for the purpose of maintaining the operations and publication of Stars and Stripes.

(2) CONTINGENCY OPERATIONS.—Of the amounts authorized to be appropriated for fiscal year 2021 in Division D of this Act and available for overseas contingency operations for Defense-wide activities as specified in the funding tables in section 4301 of this Act, $6,000,000 shall be made available for the purpose of maintaining the operations and publication of Stars and Stripes

(b) REPORT ON BUSINESS CASE ANALYSIS.—Not later than March 1, 2021, the Secretary of Defense, in coordination with the editor of Stars

and Stripes, shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives detailing the business case analysis for various options for Stars and Stripes. The report shall contain the following elements:

(1) An analysis of the pros and cons of, and business case for, continuing the operation and publication of Stars and Stripes at its current levels, including other options for the independent reporting currently provided, especially in a deployed environment.

(2) An analysis of the modes of communication used by Stars and Stripes.

(3) An analysis of potential reduced operations of Stars and Stripes.

(4) An analysis of the operation of Stars and Stripes solely as a non-appropriated entity.

(5) An analysis of operating Stars and Stripes as a category B morale, welfare, and recreation entity.

(6) An assessment of the value of the availability of Stars and Stripes (in print or an electronic version) to deployed or overseas members of the Armed Forces.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. EXPANSION OF MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.

Section 1074m of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) MENTAL HEALTH ASSESSMENTS FOR PARTICIPATION IN CERTAIN ACTIVITIES.—(1) The Secretary shall provide to a member described in paragraph (2) mental health assessments under this section in a frequency and schedule that the Secretary determines to be as similar as practicable to the frequency and schedule for such assessments under subsection (a)(1).

''(2) A member described in this paragraph is a member who, while not deployed in support of a contingency operation, participated in warfighting activities that had a direct and immediate impact on a combat operation or other military operation.''.

SEC. 702. MANDATORY REFERRAL FOR MENTAL HEALTH EVALUATION.

Section 1090a of title 10, United States Code, is amended—

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

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

''(e) PROCESS APPLICABLE TO MEMBER DISCLOSURE.—The regulations required by subsection (a) shall—

''(1) establish a phrase that enables a member of the armed forces to trigger a referral of the member by a commanding officer or supervisor for a mental health evaluation;

''(2) require a commanding officer or supervisor to make such referral as soon as practicable following disclosure by the member to the commanding officer or supervisor of the phrase established under paragraph (1); and

''(3) ensure that the process protects the confidentiality of the member in a manner similar to the confidentiality provided for members making restricted reports under section 1565b(b) of this title.''.

SEC. 703. ASSESSMENTS AND TESTING RELATING TO EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a military installation identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

(2) exposed to such substances, including by evaluating any information in the health record of the member.

(b) SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

''(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

''(ii) exposed to such substances, including by assessing any information in the health record of the member.''.

(c) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) An assessment of whether the member was—

''(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

''(ii) exposed to such substances, including by assessing any information in the health record of the member.''.

(d) PROVISION OF BLOOD TESTING.—

(1) MEMBERS OF THE ARMED FORCES.—

(A) IN GENERAL.—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances, the Secretary of Defense shall provide to that member, during that covered evaluation, blood testing to determine and document potential exposure to such substances.

(B) INCLUSION IN HEALTH RECORD.—The results of blood testing of a member of the Armed Forces conducted under subparagraph (A) shall be included in the health record of the member.

(2) COVERED EVALUATION DEFINED.—In this subsection, the term ''covered evaluation'' means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by subsection (b); and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by subsection (c).

SEC. 704. IMPROVEMENT TO BREAST CANCER SCREENING.

Section 1074d(b)(2) of title 10, United States Code, is amended by inserting before the period at the end the following: '', including through the use of digital breast tomosynthesis''.

Subtitle B—Health Care Administration

SEC. 711. PROTECTION OF THE ARMED FORCES FROM INFECTIOUS DISEASES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073d the following new section:

''§ 1073e. Protection of armed forces from infectious diseases

''(a) PROTECTION.—The Secretary of Defense shall ensure that the armed forces have the diagnostic equipment, testing capabilities, and personal protective equipment necessary to protect members of the armed forces from the threat of infectious diseases and to treat members who contract infectious diseases.

''(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall ensure the following:

''(1) Each military medical treatment facility has the testing capabilities described in such subsection.

''(2) Each deployed naval vessel has the testing capabilities described in such subsection.

''(3) Members of the armed forces deployed in support of a contingency operation outside of the United States have access to the testing capabilities described in such subsection, including at field hospitals, combat support hospitals, field medical stations, and expeditionary medical facilities.

''(4) The Department of Defense maintains a stock of personal protective equipment in a quantity sufficient for each member of the armed forces, including the reserve components thereof.

''(c) RESEARCH AND DEVELOPMENT.—(1) The Secretary shall include with the defense budget materials (as defined by section 231(f) of this title) for a fiscal year a plan to research and develop vaccines for infectious diseases.

''(2) The Secretary shall ensure that the medical laboratories of the Department of Defense are equipped with the technology needed to facilitate rapid research in the case of a pandemic.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such chapter is amended by inserting after the item relating to section 1073d the following new item:

''1073e. Protection of armed forces from infectious diseases.''.

SEC. 712. INCLUSION OF DRUGS, BIOLOGICAL PRODUCTS, AND CRITICAL MEDICAL SUPPLIES IN NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 2501(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11) Providing for the provision of drugs, biological products, vaccines, and critical medical supplies (including personal protective equipment, diagnostic and testing capabilities, and lifesaving breathing apparatuses required for the treatment of severe respiratory illness and respiratory distress) required to enable combat readiness and protect the health of the armed forces.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Health and Human Services, the Commissioner of Food and Drugs, and the heads of other departments and agencies of the Federal Government that the Secretary of Defense determines appropriate, shall submit to the appropriate congressional committees a report on vulnerabilities to the drugs, biological products, vaccines, and critical medical supplies of the Department of Defense.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include—

(A) an identification and origin of any finished drugs, as identified by the Secretary of Defense, and the essential components of such drugs, including raw materials, chemical components, and active pharmaceutical ingredients that are necessary for the manufacture of such drugs, whose supply is at risk of disruption during a time of war or national emergency;

(B) an identification of shortages of finished drugs, biological products, vaccines, and critical medical supplies essential for combat readiness and the protection of the health of the Armed Forces, as identified by the Secretary of Defense;

(C) an identification of the defense and geopolitical contingencies that are sufficiently likely to arise that may lead to the discontinuance, interruption or meaningful disruption in the supply of a drug, biological product, vaccine, or critical medical supply, and recommendations regarding actions the Secretary of Defense

should take to reasonably prepare for the occurrence of such contingencies;

(D) an assessment conducted by the Secretary of Defense of the resilience and capacity of the current supply chain and industrial base to support national defense upon the occurrence of the contingencies identified in subparagraph (C), including with respect to—

(i) the manufacturing capacity of the United States;

(ii) gaps in domestic manufacturing capabilities, including non-existent, extinct, threatened, and single-point-of-failure capabilities; and

(iii) supply chains with single points of failure and limited resiliency; and

(E) recommendations to enhance and strengthen the surge requirements and readiness contracts of the Department of Defense to ensure the sufficiency of the stockpile of the Department of, and the ready access by the Department to, critical medical supplies, pharmaceuticals, vaccines, counter-measure prophylaxis, and personal protective equipment, including with respect to the effectiveness of the theater lead agent for medical materiel program in support of the combatant commands.

(3) FORM.—The report under paragraph (1) shall be submitted in classified form.

(4) DEFINITIONS.—In this subsection:

(A) The term ''appropriate congressional committees'' means the following:

(i) The congressional defense committees.

(ii) The Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives.

(iii) The Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate.

(B) The term ''critical medical equipment'' includes personal protective equipment, diagnostic tests, testing supplies, and lifesaving breathing apparatuses required to treat severe respiratory illnesses and distress.

SEC. 713. CONTRACT AUTHORITY OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

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

''(G) notwithstanding section 2304(k) of this title, to enter into such contracts, cooperative agreements, or grants on a sole-source basis pursuant to section 2304(c)(5) of this title.''.

SEC. 714. EXTENSION OF ORGANIZATION REQUIREMENTS FOR DEFENSE HEALTH AGENCY.

Section 1073c(e) of title 10, United States Code, is amended by striking ''September 30, 2022'' and inserting ''September 30, 2025''.

SEC. 715. MODIFICATION TO LIMITATION ON THE REALIGNMENT OR REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH.

Section 719 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1454) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''may not realign or reduce military medical end strength authorizations until'' and inserting the following: ''may not realign or reduce military medical end strength authorizations during the one-year period following the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and after such period, may not realign or reduce such authorizations unless''; and

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including with respect to both the homeland defense mission and pandemic influenza''.

SEC. 716. MODIFICATIONS TO IMPLEMENTATION PLAN FOR RESTRUCTURE OR REALIGNMENT OF MILITARY MEDICAL TREATMENT FACILITIES.

Section 703(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2199) is amended—

(1) in paragraph (2), by striking subparagraph (D) and inserting the following new subparagraph:

''(D) A description of how the Secretary will carry out subsection (b), including with respect to—

''(i) the standards required for health care providers to accept and transition covered beneficiaries to the purchased care component of the TRICARE program;

''(ii) a method to monitor and report on quality benchmarks for the beneficiary population that is required to transition to such component of the TRICARE program; and

''(iii) a process by which the Defense Health Agency will ensure that such component of the TRICARE program has the required capacity.''; and

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

''(4) NOTICE AND WAIT.—The Secretary may not implement the plan under paragraph (1) unless—

''(A) the Secretary has submitted the plan to the congressional defense committees; and

''(B) a one-year period elapses following the later of the date of such submission or the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.''.

SEC. 717. POLICY TO ADDRESS OPIOID PRESCRIPTION ABUSE PREVENTION.

(a) REQUIREMENT.—The Secretary of Defense shall develop a policy and tracking mechanism for opioids that monitors and prohibits the over prescribing of opioids to ensure compliance with clinical practice guidelines.

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

(1) Limit the prescribing of opioids to the morphine milligram equivalent level per day specified in the guideline published by the Centers for Disease Control and Prevention titled ''CDC Guideline for Prescribing Opioids for Chronic Pain—United States, 2016'', or such successor guideline.

(2) Limit the supply of opioids to within clinically accepted guidelines.

(3) Develop a waiver process for specific patient categories that will require treatment beyond the limit specified in paragraph (1).

(4) Implement controls to ensure that the prescriptions in the military health system data repository exist and that the dispense date and the metric quantity field for opioid prescriptions in liquid form are consistent among all systems.

(5) Implement opioid prescribing controls within the electronic health record system known as ''Genesis''.

(6) Develop metrics that can be used by the Defense Health Agency and each military medical treatment facility to actively monitor and limit the over prescribing of opioids.

(7) Develop a report that tracks progression toward reduced levels of opioid use.

SEC. 718. ADDITION OF BURN PIT REGISTRATION TO ELECTRONIC HEALTH RECORDS OF MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) UPDATES TO ELECTRONIC HEALTH RECORDS.—Beginning not later than one year after the date of the enactment of this Act—

(1) the Secretary of Defense shall ensure that the electronic health record maintained by such Secretary of a member of the Armed Forces registered with the burn pit registry is updated with any information contained in such registry; and

(2) the Secretary of Veterans Affairs shall ensure that the electronic health record maintained by such Secretary of a veteran registered with the burn pit registry is updated with any information contained in such registry.

(b) BURN PIT REGISTRY DEFINED.—In this section, the term ''burn pit registry'' means the registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

Subtitle C—Matters Relating to COVID–19

SEC. 721. COVID–19 MILITARY HEALTH SYSTEM REVIEW PANEL.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a panel to be known as the ''COVID–19 Military Health System Review Panel'' (in this section referred to as the ''panel'').

(b) COMPOSITION.—

(1) MEMBERS.—The panel shall be composed of the following members:

(A) The President of the Uniformed Services University of the Health Sciences.

(B) The Director of the Defense Health Agency.

(C) The Surgeon General of the Army.

(D) The Surgeon General of the Navy.

(E) The Surgeon General of the Air Force.

(F) The Joint Staff Surgeon.

(G) The Deputy Assistant Secretary of Defense for Health Readiness Policy and Oversight.

(H) The Deputy Assistant Secretary of Defense for Health Resources Management and Policy.

(2) CHAIRPERSON.—The chairperson of the panel shall be the President of the Uniformed Services University of the Health Sciences.

(3) TERMS.—Each member shall be appointed for the life of the panel.

(c) DUTIES.—

(1) IN GENERAL.—The panel shall—

(A) review the response of the military health system to the coronavirus disease 2019 (COVID–19) and the effects of COVID–19 on such system, including by analyzing any strengths or weaknesses of such system identified as a result COVID–19; and

(B) using information from the review, make such recommendations as the panel considers appropriate with respect to any policy, practice, organization, manning level, funding level, or legislative authority relating to the military health system.

(2) ELEMENTS OF REVIEW.—In conducting the review under paragraph (1), each member of the panel shall lead a review of at least one of the following elements, with respect to the military health system:

(A) Policy, including any policy relating to force health protection or medical standards for the appointment, enlistment, or induction of individuals into the Armed Forces.

(B) Public health activities, including any activity relating to risk communication, surveillance, or contact tracing.

(C) Research, diagnostics, and therapeutics.

(D) Logistics and technology.

(E) Force structure and manning.

(F) Governance and organization.

(G) Operational capabilities and operational support.

(H) Education and training.

(I) Health benefits under the TRICARE program.

(J) Engagement and security activities relating to global health.

(K) The financial impact of COVID–19 on the military health system.

(d) REPORT.—Not later than June 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report that includes the findings of the panel as a result of the review under subsection (c)(1)(A), together with such recommendations as the panel considers appropriate under subsection (c)(1)(B).

(e) TERMINATION.—The panel shall terminate on June 1, 2021.

SEC. 722. COVID–19 GLOBAL WAR ON PANDEMICS.

(a) STRATEGY.—The Secretary of Defense shall develop a strategy for pandemic preparedness and response that includes the following:

(1) Identification of activities necessary to be carried out prior to a pandemic to ensure preparedness and effective communication of roles and responsibilities within the Department of Defense, including—

(A) reviewing the frequency of each exercise conducted by the Department or a military department that relates to a pandemic or severe influenza season or related force health protection;

(B) ensuring such exercises are appropriately planned, resourced, and practiced;

(C) including a consideration of the capabilities and capacities necessary to carry out the strategy under this section, and related operations for force health protection, and ensuring that these are included in each cost evaluation, Defense-wide review, or manning assessment of the Department of Defense that affects such capabilities and capacities;

(D) reviewing the placement, exploring broader utilization of global health engagement liaisons, and increasing the scope of global health activities of the Department of Defense;

(E) assessing a potential career track relating to health protection research for members of the Armed Forces and civilian employees of the Department of Defense;

(F) providing to members of the Armed Forces guidance on force health protection prior to and during a pandemic or severe influenza season, including guidance on specific behaviors or actions required, such as self-isolating, social distancing, and additional protective measures to be carried out after contracting a novel virus or influenza;

(G) reviewing and updating the inventory of medical supplies and equipment of the Department of Defense that is available for operational support to the combatant commands prior to and during a pandemic (such as vaccines, biologics, drugs, preventive medicine, antiviral medicine, and equipment relating to trauma support), including a review of—

(i) the sufficiency of prepositioned stocks; and

(ii) the effectiveness of the Warstopper Program of the Defense Logistics Agency, or such successor program;

(H) reviewing and updating distribution plans of the Department of Defense for critical medical supplies and equipment within the inventory of the Department of Defense, including vaccines and antiviral medicines; and

(I) reviewing and updating research on infectious diseases and preventive medicine conducted by the military health system, including research conducted by the Health Related Communities of Interest of the Department of Defense, the Joint Program Committees, the overseas medical laboratories of the Department of Defense, the Armed Forces Health Surveillance Branch, or other elements of the Department of Defense that conduct research in support of members of the Armed Forces or beneficiaries under the TRICARE program.

(2) Review of Department of Defense systems for health surveillance and detection to ensure continuous situational awareness and early warning with respect to a pandemic, including a review of—

(A) the levels of funding and investment, and the overall value, of the Global Emerging Infections Surveillance and Response System of the Department of Defense, including the value demonstrated by the role of such system in—

(i) improving the Department of Defense prevention and surveillance of, and the response to, infectious diseases that may impact members of the Armed Forces;

(ii) informing decisions relating to force health protection across the geographic combatant commands;

(iii) ensuring laboratory readiness to support pandemic response efforts and to understand infectious disease threats to the Armed Forces; and

(iv) coordinating and collaborating with partners, such as the geographic combatant commands, other Federal agencies, and international partners;

(B) the levels of funding and investment, and the overall value, of the overseas medical laboratories of the Department of Defense, including the value demonstrated by the role of such laboratories in conducting research and forming partnerships with other elements of the Department of Defense, other Federal agencies, international partners in the country in which such laboratory is located, and, as applicable, the private sector of the United States; and

(C) the levels of funding and investment, and the overall value, of the Direct HIV/AIDS Prevention Program of the Department of Defense, including the value demonstrated by the role of such program in developing (in coordination with other Federal agencies) programs for the prevention, care, and treatment of the human immunodeficiency virus infection and acquired immune deficiency syndrome.

(3) Identification of activities to limit the spread of an infectious disease outbreak among members of the Armed Forces and beneficiaries under the TRICARE program, including activities to mitigate the health, social, and economic impacts of a pandemic on such members and beneficiaries, including by—

(A) reviewing the role of the Department of Defense in the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) and implementing plans across the Department that leverage medical facilities, personnel, and response capabilities of the Federal Government to support requirements under such Act relating to medical surge capacity;

(B) determining the range of public health capacity, medical surge capacity, administrative capacity, and veterinary capacity necessary for the Armed Forces to—

(i) support operations during a pandemic; and

(ii) develop mechanisms to reshape force structure during such pandemic as necessary (contingent upon primary mission requirements); and

(C) determining the range of activities for operational medical support and infrastructure sustainment that the Department of Defense and other Federal agencies have the capacity to implement during a pandemic (contingent upon primary mission requirements), and develop plans for the implementation of such activities.

(b) STUDY ON RESPONSE TO COVID–19.—The Secretary shall conduct a study on the response of the military health system to the coronavirus disease 2019 (COVID–19).

(c) REPORT.—Not later than June 1, 2021, the Secretary shall submit to the congressional defense committees a report containing—

(1) the strategy under subsection (a); and

(2) the study under subsection (b), including any findings or recommendations from the study that relate to an element of the strategy under subsection (a), such as recommended changes to policy, funding, practices, manning, organization, or legislative authority.

SEC. 723. REGISTRY OF TRICARE BENEFICIARIES DIAGNOSED WITH COVID–19.

(a) ESTABLISHMENT.—Not later than June 1, 2021, the Secretary of Defense shall establish and maintain a registry of TRICARE beneficiaries who have been diagnosed with COVID–19.

(b) CONTENTS.—The registry under subsection (a) shall include, with respect to each TRICARE beneficiary included in the registry, the following:

(1) The demographic information of the beneficiary.

(2) Information on the industrial or occupational history of the beneficiary, to the extent such information is available in the records regarding the COVID–19 diagnosis of the beneficiary.

(3) Administrative information regarding the COVID–19 diagnosis of the beneficiary, including the date of the diagnosis and the location and source of the test used to make the diagnosis.

(4) Any symptoms of COVID–19 manifested in the beneficiary.

(5) Any treatments for COVID–19 taken by the beneficiary, or other medications taken by the beneficiary, when the beneficiary was diagnosed with COVID–19.

(6) Any pathological data characterizing the incidence of COVID–19 and the type of treatment for COVID–19 provided to the beneficiary.

(7) Any other information determined appropriate by the Secretary.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on establishing the registry under subsection (a), including—

(1) a plan to implement the registry;

(2) the cost of implementing the registry;

(3) the location of the registry; and

(4) any recommended legislative changes with respect to establishing the registry.

(d) TRICARE BENEFICIARY DEFINED.—In this section, the term ''TRICARE beneficiary'' means the following:

(1) An individual covered by section 1074(a) of title 10, United States Code.

(2) A covered beneficiary (as defined in section 1072 of title 10, United States Code).

Subtitle D—Reports and Other Matters

SEC. 731. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN AND MILITARY PARTNERSHIPS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

Section 740 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary of Defense may'' and inserting ''Beginning not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary of Defense shall''; and

(B) by striking ''and the Secretary of Transportation'' and inserting ''the Secretary of Transportation, and the Administrator of the Federal Emergency Management Agency'';

(2) in subsection (d), by striking ''and the Secretary of Transportation'' and inserting ''the Secretary of Transportation, and the Administrator of the Federal Emergency Management Agency''; and

(3) in subsection (f)—

(A) by striking ''the Committees on Armed Services of the Senate and the House of Representatives'' each place it appears and inserting ''the appropriate congressional committees'';

(B) in paragraph (1)(B)(i), by inserting before the period the following: '', including a recommendation for at least one of the locations selected under subsection (c)''; and

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

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means the following:

''(A) The Committee on Armed Services, the Committee on Transportation and Infrastructure, the Committee on Veterans' Affairs, the Committee on Homeland Security, and the Committee on Energy and Commerce of the House of Representatives.

''(B) The Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 732. REPORTS ON SUICIDE AMONG MEMBERS OF THE ARMED FORCES AND SUICIDE PREVENTION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

Section 741(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1467) is amended—

(1) in subparagraph (B), by adding at the end the following new clause:

''(iii) The one-year period following the date on which the member returns from such a deployment.'';

(2) by redesignating subparagraphs (D) through (H) as subparagraphs (E) through (I), respectively;

(3) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) The number of suicides involving a member who was prescribed a medication to treat a mental health or behavioral health diagnosis during the one-year period preceding the death.''; and

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

''(J) A description of the programs carried out by the military departments to address and reduce the stigma associated with seeking assistance for mental health or suicidal thoughts.''.

SEC. 733. CLARIFICATION OF RESEARCH UNDER JOINT TRAUMA EDUCATION AND TRAINING DIRECTORATE AND INCLUSION OF MILITARY WORKING DOGS.

(a) IN GENERAL.—Subsection (b) of section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071 note) is amended—

(1) in paragraph (7), by striking ''of members of the Armed Forces'' and inserting ''with respect to both members of the Armed Forces and military working dogs''; and

(2) by striking paragraph (9) and inserting the following new paragraph:

''(9) To inform and advise the conduct of research on the leading causes of morbidity and mortality of members of the Armed Forces and military working dogs in combat.''.

(b) VETERINARIANS IN PERSONNEL MANAGEMENT PLAN.—Subsection (d)(1) of such section is amended—

(1) by redesignating subparagraph (F) as subparagraph (G); and

(2) by inserting after subparagraph (E) the following new subparagraph:

''(F) Veterinary care.''.

SEC. 734. EXTENSION OF THE JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION PROJECT.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 732 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''September 30, 2021'' and inserting ''September 30, 2023''.

SEC. 735. INFORMATION SHARING BY SECRETARY OF DEFENSE REGARDING PREVENTION OF INFANT AND MATERNAL MORTALITY.

(a) AUTHORIZATION OF INFORMATION SHARING.—The Secretary of Defense may enter into memoranda of understanding with State and local health authorities to share the practices of, and lessons learned by, the military health system for the prevention of infant and maternal mortality.

(b) STATE DEFINED.—In this section, the term ''State'' means each State, the District of Columbia, each commonwealth, territory or possession of the United States, and each federally recognized Indian Tribe.

SEC. 736. GRANT PROGRAM FOR INCREASED COOPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between American academic institutions and nonprofit research entities, and Israeli institutions with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(b) GRANT PROGRAM.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders. The Secretary of Defense shall carry out the grant program under this section in accordance with the agreement titled ''Agreement Between the Government of the United States of America and the Government of Israel on the United States-Israel Binational Science Foundation'', dated September 27, 1972.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) AWARD.—The Secretary shall award grants under this section to eligible entities that—

(1) carry out a research project that—

(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and

(2) meet such other criteria that the Secretary may establish.

(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) GIFT AUTHORITY.—The Secretary may accept, hold, and administer, any gift of money made on the condition that the gift be used for the purpose of the grant program under this section. Such gifts of money accepted under this subsection shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SEC. 737. PILOT PROGRAM ON CRYOPRESERVATION AND STORAGE.

(a) PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program to provide not more than 1,000 members of the Armed Forces serving on active duty with the opportunity to cryopreserve and store their gametes prior to deployment to a combat zone.

(b) PERIOD.—

(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of a participating member of the Armed Forces under subsection (a), at no cost to the member, in a facility of the Department of Defense or at a private entity pursuant to a contract under subsection (d) until the date that is one year after the retirement, separation, or release of the member from the Armed Forces.

(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall authorize an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

(A) To continue such cryopreservation and storage in such facility with the cost of such cryopreservation and storage borne by the individual.

(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

(C) To authorize the Secretary to dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

(c) ADVANCE MEDICAL DIRECTIVE AND MILITARY TESTAMENTARY INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section shall complete an advance medical directive described in section 1044c(b) of title 10, United States Code, and a military testamentary instrument described in section 1044d(b) of such title, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved and stored gametes.

(d) AGREEMENTS.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation and storage services for gametes.

SEC. 738. PILOT PROGRAM ON PARENTS SERVING AS CERTIFIED NURSING ASSISTANTS FOR CHILDREN UNDER TRICARE PROGRAM.

(a) PILOT PROGRAM.—The Director of the Defense Health Agency may carry out a pilot program under which an eligible parent serves as a certified nursing assistant under the TRICARE program with respect to providing personal care services to a covered child.

(b) DURATION.—If the Director carries out the pilot program under subsection (a), the Director shall carry out the pilot program for a period of 18 months.

(c) BRIEFING.—If the Director carries out the pilot program under subsection (a), not later than one year after the date of the enactment of this Act, the Director shall provide to the congressional defense committees a briefing on the pilot program.

(d) REPORT.—If the Director carries out the pilot program under subsection (a), not later than 180 days after the date of the completion of the pilot program, the Director shall submit to the congressional defense committees a report on the pilot program. The report shall include—

(1) the cost of the program;

(2) an analysis of whether the pilot program met established performance metrics;

(3) an analysis of whether the pilot program provided the standard of care to the patient that is required; and

(4) the recommendation of the Director regarding whether the pilot program should be made permanent.

(e) DEFINITIONS.—In this section:

(1) The term ''covered child'' means a covered beneficiary described in section 1072(2)(D) of title 10, United States Code, who—

(A) is the child of a member of the uniformed services serving on active duty; and

(B) is eligible for private duty nursing under the Extended Care Health Option under subsections (d) through (f) of section 1079 of such title.

(2) The term ''eligible parent'' means an individual who is—

(A) a certified nursing assistant; and

(B) the parent of a covered child.

(3) The term ''personal care services'' means personal care services prescribed by a medical doctor and provided by a certified nursing assistant under the supervision and guidance of a registered nurse case manager.

(4) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 739. STUDY ON INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG PILOTS IN THE ARMED FORCES.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary

of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study to—

(1) determine the incidence of cancer diagnosis and mortality among members, and former members, of the Armed Forces who serve as pilots compared to such members who do not serve as pilots, including by determining such incidence based on gender, age, flying hours, Armed Force, and type of aircraft; and

(2) determine the appropriate age to begin screening such members for cancer, including by determining such age based on gender, flying hours, Armed Force, and type of aircraft.

(b) SUBMISSION.—Not later than two years after the date on which the Secretary enters into the agreement under subsection (a), the Secretary shall submit to the appropriate congressional committees a report on the findings from the study under such subsection.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services and Veterans' Affairs of the House of Representatives; and

(B) the Committees on Armed Services and Veterans' Affairs of the Senate.

(2) The term ''Armed Forces'' means each Armed Force under the jurisdiction of the Secretary of a military department.

(3) The term ''pilot'' includes an individual who frequently accompanies a pilot in a cockpit, such as a navigator.

SEC. 740. REPORT ON DIET AND NUTRITION OF MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the diet and nutrition of members of the Armed Forces. The report shall describe the following:

(1) The relationship between the diet and nutrition of members and the health, performance, and combat effectiveness of members.

(2) The relationship between diets high in Omega–3 fatty acids, or other diets that may lower inflammation and obesity, and improved mental health.

(3) The extent to which the food and beverages offered at the dining halls of the Armed Forces as of the date of the report are designed to optimize the health, performance, and combat effectiveness of members according to science-based approaches.

(4) The plan of the Secretary to improve the health, performance, and combat effectiveness of members by modifying the food and beverages offered at the dining halls of the Armed Forces, including in ways that minimize the change members.

(5) Expected costs and timeline to implement such plan, including any expected savings from reduced medical costs.

SEC. 741. REPORT ON COSTS AND BENEFITS OF ALLOWING RETIRED MEMBERS OF THE ARMED FORCES TO CONTRIBUTE TO HEALTH SAVINGS ACCOUNTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Health Affairs shall submit to the congressional defense committees a report on the costs and benefits of allowing covered individuals to make contributions to a health savings account.

(b) MATTERS.—The report under subsection (a) shall include a description of the following:

(1) Any anticipated cost savings as a result of allowing covered individuals to make contributions to health savings accounts.

(2) Any anticipated increase in health care options available to covered individuals as a result of allowing such contributions.

(3) Any anticipated disruption or delay in health services or benefits for covered individuals as a result of allowing such contributions.

(c) DEFINITIONS.—In this section:

(1) The term ''covered individual''—

(A) means a beneficiary covered by subsection (c) of section 1086 of title 10, United States Code; and

(B) includes a Medicare-eligible beneficiary described in subsection (d)(2) of such section.

(2) The term ''health savings account'' has the meaning given that term in section 223(d) of the Internal Revenue Code of 1986.

SEC. 742. STUDY ON TOXIC EXPOSURE AT KARSHI–KHANABAD AIR BASE, UZBEKISTAN.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on toxic exposure by members of the Armed Forces deployed to Karshi–Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

(2) MATTERS INCLUDED.—The study under paragraph (1) shall include the following:

(A) An assessment regarding the conditions of Karshi–Khanabad Air Base, Uzbekistan, during the period beginning October 1, 2001, and ending December 31, 2005, including an identification of toxic substances contaminating the Air Base during such period.

(B) An epidemiological study of the health consequences of a member of the Armed Forces deployed to the Air Base during such period.

(C) An assessment of any association between exposure to toxic substances identified under subparagraph (A) and the health consequences studied under subparagraph (B).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the results of the study under subsection (a).

SEC. 743. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall commence the conduct of an audit of the medical conditions of eligible individuals and the association between adverse exposures of such individuals in unsafe or unhealthy housing units and the health of such individuals.

(b) CONTENT OF AUDIT.—The audit conducted under subsection (a) shall—

(1) determine the percentage of units of privatized military housing that are unsafe or unhealthy housing units;

(2) study the adverse exposures of eligible individuals that relate to residing in an unsafe or unhealthy housing unit and the effect of such exposures on the health of such individuals; and

(3) determine the association, to the extent permitted by available scientific data, and provide quantifiable data on such association, between such adverse exposures and the occurrence of a medical condition in eligible individuals residing in unsafe or unhealthy housing units.

(c) CONDUCT OF AUDIT.—The Inspector General of the Department shall conduct the audit under subsection (a) using the same privacy preserving guidelines used by the Inspector General in conducting other audits of health records.

(d) SOURCE OF DATA.—In conducting the audit under subsection (a), the Inspector General of the Department shall use—

(1) de-identified data from electronic health records of the Department;

(2) records of claims under the TRICARE program (as defined in section 1072(7) of title 10, United States Code); and

(3) such other data as determined necessary by the Inspector General.

(e) SUBMITTAL AND PUBLIC AVAILABILITY OF REPORT.—Not later than one year after the commencement of the audit under subsection (a), the Inspector General of the Department shall—

(1) submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the audit conducted under subsection (a); and

(2) publish such report on a publicly available internet website of the Department of Defense.

(f) DEFINITIONS.—In this section:

(1) The term ''eligible individual'' means a member of the Armed Forces or a family member of a member of the Armed Forces who—

(A) has resided in an unsafe or unhealthy housing unit; and

(B) has registered under the Housing Environmental Health Response Registry of the Army.

(2) The term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) The term ''unsafe or unhealthy housing unit'' means a unit of privatized military housing in which, at any given time, at least one of the following hazards is present:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including ease of access by unlawful intruders or lighting issues.

(C) Poor ventilation.

(D) Safety hazards.

(E) Other hazards as determined by the Inspector General of the Department.

SEC. 744. REPORT ON INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the findings of a study, conducted by the Secretary for the purposes of the report, of the implementation and application of the Integrated Disability Evaluation System.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) All changes to policies and procedures applicable to the implementation of the Integrated Disability Evaluation System from the previous disability evaluation system.

(2) The extent to which the Integrated Disability Evaluation System is the primary means of processing members of the Armed Forces through the disability evaluation system process.

(3) The extent to which the military departments and the Defense Health Agency coordinate—

(A) treatment of members of the Armed Forces;

(B) referrals of members of the Armed Forces to a medical evaluation board;

(C) appointing a convening authority and staffing a medical evaluation board;

(D) the sharing of medical documentation with a medical evaluation board;

(E) evaluations of members of the Armed Forces for initial or subsequent limited duty status; and

(F) a medical evaluation board referral to a physical evaluation board.

(4) The process for members of the Armed Forces to request an impartial medical review or rebut medical evaluation board findings.

(5) The criteria a medical evaluation board convening authority applies when considering such requests under paragraph (4).

(6) The average time to process Integrated Disability Evaluation System cases by both phase and stage (as defined in Department of Defense Manual 1332.18) for both the active component and reserve component.

SEC. 745. REVIEW AND REPORT ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES STATIONED AT REMOTE INSTALLATIONS OUTSIDE THE CONTIGUOUS UNITED STATES.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review

of efforts by the Department of Defense to prevent suicide among members of the Armed Forces stationed at covered installations.

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include an assessment of each of the following:

(1) Current policy guidelines of the Armed Forces on the prevention of suicide among members of the Armed Forces stationed at covered installations.

(2) Current suicide prevention programs of the Armed Forces and activities for members of the Armed Forces stationed at covered installations and their dependents, including programs provided by the Defense Health Program and the Office of Suicide Prevention.

(3) The integration of mental health screenings and suicide risk and prevention efforts for members of the Armed Forces stationed at covered installations and their dependents into the delivery of primary care for such members and dependents.

(4) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations and their dependents, including guidance and training to assist commanders in addressing incidents of attempted or completed suicide within their units.

(5) The standards regarding data collection for members of the Armed Forces stationed at covered installations and their dependents, including related factors such as domestic violence and child abuse.

(6) The means to ensure the protection of privacy of members of the Armed Forces stationed at covered installations and their dependents who seek or receive treatment related to suicide prevention.

(7) The availability of information from indigenous populations on suicide prevention for members of the Armed Forces stationed at covered installations who are members of such a population.

(8) The availability of information from graduate research programs of institutions of higher education on suicide prevention for members of the Armed Forces.

(9) Such other matters as the Comptroller General considers appropriate in connection with the prevention of suicide among members of the Armed Forces stationed at covered installations and their dependents.

(c) BRIEFING AND REPORT.—The Comptroller General shall—

(1) not later than October 1, 2021, brief the Committees on Armed Services of the Senate and the House of Representatives on preliminary observations relating to the review conducted under subsection (a); and

(2) not later than March 1, 2022, submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such review.

(d) COVERED INSTALLATION DEFINED.—In this section, the term ''covered installation'' means a remote installation of the Department of Defense outside the contiguous United States.

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

SEC. 751. SHORT TITLE.

This subtitle may be cited as the ''Care and Readiness Enhancement for Reservists Act of 2020'' or the ''CARE for Reservists Act of 2020''.

SEC. 752. EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING AND RELATED OUTPATIENT SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) READJUSTMENT COUNSELING.—Subsection (a)(1) of section 1712A of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(D)(i) The Secretary, in consultation with the Secretary of Defense, may furnish to any member of the reserve components of the Armed Forces who has a behavioral health condition or psychological trauma, counseling under subparagraph (A)(i), which may include a comprehensive individual assessment under subparagraph (B)(i).

''(ii) A member of the reserve components of the Armed Forces described in clause (i) shall not be required to obtain a referral before being furnished counseling or an assessment under this subparagraph.''.

(b) OUTPATIENT SERVICES.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by inserting ''to an individual'' after ''If, on the basis of the assessment furnished''; and

(B) by striking ''veteran'' each place it appears and inserting ''individual''; and

(2) in paragraph (2), by striking ''veteran'' and inserting ''individual''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 753. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1789. Mental health services for members of the reserve components of the Armed Forces

''The Secretary, in consultation with the Secretary of Defense, may furnish mental health services to members of the reserve components of the Armed Forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1788 the following new item:

''1789. Mental health services for members of the reserve components of the Armed Forces.''.

SEC. 754. INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SUICIDE PREVENTION PROGRAM.—

(1) IN GENERAL.—Section 1720F of title 38, United States Code, is amended by adding at the end the following new subsection:

''(l)(1) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means a veteran or a member of the reserve components of the Armed Forces.

''(2) In determining coverage of members of the reserve components of the Armed Forces under the comprehensive program, the Secretary shall consult with the Secretary of Defense.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by striking ''veterans'' and inserting ''covered individuals'';

(B) in subsection (b), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(C) in subsection (c)—

(i) in the subsection heading, by striking ''OF VETERANS'';

(ii) by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(iii) by striking ''veteran'' and inserting ''individual'';

(D) in subsection (d), by striking ''to veterans'' each place it appears and inserting ''to covered individuals'';

(E) in subsection (e), in the matter preceding paragraph (1), by striking ''veterans'' and inserting ''covered individuals'';

(F) in subsection (f)—

(i) in the first sentence, by striking ''veterans'' and inserting ''covered individuals''; and

(ii) in the second sentence, by inserting ''or members'' after ''veterans'';

(G) in subsection (g), by striking ''veterans'' and inserting ''covered individuals'';

(H) in subsection (h), by striking ''veterans'' and inserting ''covered individuals'';

(I) in subsection (i)—

(i) in the subsection heading, by striking ''FOR VETERANS AND FAMILIES'';

(ii) in the matter preceding paragraph (1), by striking ''veterans and the families of veterans'' and inserting ''covered individuals and the families of covered individuals'';

(iii) in paragraph (2), by striking ''veterans'' and inserting ''covered individuals''; and

(iv) in paragraph (4), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(J) in subsection (j)—

(i) in paragraph (1), by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(ii) in paragraph (4)—

(I) in subparagraph (A), in the matter preceding clause (i), by striking ''women veterans'' and inserting ''covered individuals who are women'';

(II) in subparagraph (B), by striking ''women veterans who'' and inserting ''covered individuals who are women and''; and

(III) in subparagraph (C), by striking ''women veterans'' and inserting ''covered individuals who are women''; and

(K) in subsection (k), by striking ''veterans'' and inserting ''covered individuals''.

(3) CLERICAL AMENDMENTS.—

*(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting ''**and members of the reserve components of the Armed Forces**'' after ''**veterans**''.*

(B) TABLE OF SECTIONS.—The table of sections at the beginning of such subchapter is amended by striking the item relating to section 1720F and inserting the following new item:

''1720F. Comprehensive program for suicide prevention among veterans and members of the reserve components of the Armed Forces.''.

(b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS WHO SERVED IN CLASSIFIED MISSIONS.—

(1) IN GENERAL.—Section 1720H of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(II) by striking ''the veteran'' and inserting ''the individual''; and

(ii) in paragraph (3), by striking ''eligible veterans'' and inserting ''eligible individuals'';

(B) in subsection (b)—

(i) by striking ''a veteran'' and inserting ''an individual''; and

(ii) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(C) in subsection (c)—

(i) in paragraph (2), in the matter preceding subparagraph (A), by striking ''The term 'eligible veteran' means a veteran'' and inserting ''The term 'eligible individual' means a veteran or a member of the reserve components of the Armed Forces''; and

(ii) in paragraph (3), by striking ''eligible veteran'' and inserting ''eligible individual''.

(2) CLERICAL AMENDMENTS.—

*(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting ''**and members of the reserve components of the Armed Forces**'' after ''**veterans**''.*

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1720H and inserting the following new item:

''1720H. Mental health treatment for veterans and members of the reserve components of the Armed Forces who served in classified missions.''.

SEC. 755. REPORT ON MENTAL HEALTH AND RELATED SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the

Secretary of Veterans Affairs shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and the House of Representatives a report that includes an assessment of the following:

(1) The increase, as compared to the day before the date of the enactment of this Act, of the number of members of the Armed Forces that use readjustment counseling or outpatient mental health care from the Department of Veterans Affairs, disaggregated by State, Vet Center location, and clinical care site of the Department, as appropriate.

(2) The number of members of the reserve components of the Armed Forces receiving telemental health care from the Department.

(3) The increase, as compared to the day before the date of the enactment of this Act, of the annual cost associated with readjustment counseling and outpatient mental health care provided by the Department to members of the reserve components of the Armed Forces.

(4) The changes, as compared to the day before the date of the enactment of this Act, in staffing, training, organization, and resources required for the Department to offer readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(5) Any challenges the Department has encountered in providing readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(b) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

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

Subtitle A—Acquisition Policy and Management

SEC. 801. CONGRESSIONAL NOTIFICATION OF TERMINATION OF A MIDDLE TIER ACQUISITION PROGRAM.

Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note), is amended by adding at the end the following new subsection:

''(e) REPORT.—Not later than 30 days after the date of termination of an acquisition program commenced using the authority under this section, the Secretary of Defense shall submit to Congress a notification of such termination. Such notice shall include—

''(1) the initial amount of a contract awarded under such acquisition program;

''(2) the aggregate amount of funds awarded under such contract; and

''(3) written documentation of the reason for termination of such acquisition program.''.

SEC. 802. MODIFICATION TO THE DEFINITION OF NONTRADITIONAL DEFENSE CONTRACTOR.

Section 2302(9) of title 10, United States Code, is amended to read as follows:

''(9) the term 'nontraditional defense contractor', with respect to a procurement or with respect to a transaction authorized under section 2371(a) or 2371b of this title, means—

''(A) an entity that is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section; or

''(B) a corporation all of the stock of which is owned by an employee stock ownership plan (as defined in section 4975(e)(7) of the Internal Revenue Code of 1986).''.

SEC. 803. MAJOR WEAPON SYSTEMS: LIFE-CYCLE SUSTAINMENT PLAN.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2366c the following new section:

''§ 2366d. Major weapon systems: life-cycle sustainment plans

''(a) REQUIREMENT.—Before granting Milestone C approval for a major weapon system acquired pursuant to a major defense acquisition program, the milestone decision authority for such program shall submit to the Secretary a life-cycle sustainment plan.

''(b) ELEMENTS.—A life-cycle sustainment plan required under subsection (a) shall include—

''(1) a sustainment plan that includes the product support strategy, performance, and operation and support costs of the major weapon system;

''(2) metrics to measure readiness and availability of the major weapon system to perform its intended purpose or function;

''(3) a schedule for the major maintenance and overhaul activities that will be required during the life cycle of the major weapon system; and

''(4) a sustainment baseline cost estimate for the planned life cycle of the major weapon system that includes a technical data and intellectual property management plan that clearly delineates which subsystems of the major weapon system are Government-owned or Government-required and which subsystems are owned by a prime contractor or subcontractor (at any tier).

''(c) REVIEW.—The Secretary of Defense shall review a life-cycle sustainment plan submitted under subsection (a) 5 years after the receipt of Milestone C approval described in such subsection, and every 10 years thereafter, to ensure that the major weapon system is cost effective and is able to meet required metrics relating to readiness and availability of such system.

''(d) NOTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—Not later than 45 days after a significant and critical breach of a sustainment baseline cost estimate of a life-cycle sustainment plan for a major weapon system acquired pursuant to a major defense acquisition program, the Secretary of the military department that is managing such program shall submit to the congressional defense committees a notification of such breach.

''(2) REVIEW.—Not later than 180 days after submitting a notification under paragraph (1), such Secretary shall review the sustainment costs of the major weapon system to which such notification relates relative to the sustainment baseline cost estimate.

''(3) ADDITIONAL SUBMISSION.—Such Secretary shall submit to the congressional defense committees—

''(A) a certification that the review required under paragraph (2) has been completed; and

''(B) a remediation plan or endorsement by such Secretary that the sustainment cost growth is justified and required for such Secretary to meet the requirements related to the major defense acquisition program.

''(e) DEFINITIONS.—In this section:

''(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term 'major defense acquisition program' has the meaning given in section 2430 of this title.

''(2) MAJOR WEAPON SYSTEM.—The term 'major weapon system' has the meaning given in section 2379(f) of this title.

''(3) MILESTONE C APPROVAL.—The term 'Milestone C approval' means a decision to enter into production and deployment pursuant to guidance prescribed by the Secretary of Defense for the management of a major defense acquisition program.

''(4) SUSTAINMENT BASELINE COST ESTIMATE.—The term 'sustainment baseline cost estimate' means the cost estimate and schedule for a life-cycle sustainment plan required under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by inserting after the item relating to section 2366c the following new item:

''2366d. Major weapon systems: life-cycle sustainment plans.''.

SEC. 804. CONTRACTOR BUSINESS SYSTEMS.

Section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''significant deficiencies'' and inserting ''deficiencies and material weaknesses'';

(B) in paragraph (4), by striking ''significant deficiency'' and inserting ''material weakness''; and

(C) in paragraph (5)(A), by striking ''significant deficiency'' and inserting ''material weakness'';

(2) in subsection (d)(1), by striking ''significant deficiencies'' and inserting ''material weaknesses'';

(3) in subsection (g)—

(A) in paragraph (3), by striking ''significant deficiency'' and inserting ''material weakness'';

(B) by striking paragraph (4);

(C) by redesignating paragraph (5) as paragraph (4); and

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

''(5) The term 'material weakness' means a deficiency or combination of deficiencies in the internal control of a contractor business system used to comply with contracting requirements of the Department of Defense, or other shortcomings in such system, such that there is a reasonable possibility that a material noncompliance with contracting requirements will not be prevented, or detected and corrected, on a timely basis.''.

SEC. 805. ACQUISITION AUTHORITY OF THE DIRECTOR OF THE JOINT ARTIFICIAL INTELLIGENCE CENTER.

(a) AUTHORITY.—

(1) IN GENERAL.—The Director of the Joint Artificial Intelligence Center shall be responsible for, and shall have the authority to conduct, the following covered activities:

(A) Development and acquisition of artificial intelligence technologies, services, and capabilities.

(B) Sustainment of artificial intelligence technologies, services, and capabilities.

(2) ACQUISITION FUNCTIONS.—Subject to the authority, direction, and control of the Secretary of Defense, the Director shall have authority to exercise the functions of a head of an agency (as defined in section 2302 of title 10, United States Code) with respect to a covered activity described in paragraph (1).

(b) JAIC ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Director shall include an acquisition executive who shall be responsible for the supervision of covered activities under subsection (a). The acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with any element of the Department of Defense to carry out the acquisition of technologies, services, and capabilities described in subsection (a)(1) on behalf of the Center;

(B) to supervise the acquisition of technologies, services, and capabilities described in subsection (a)(1);

(C) to represent the Center in discussions with military departments regarding acquisition programs relating to covered activities for which the Center is involved; and

(D) to work with the military departments to ensure that the Center is appropriately represented in any joint working group or integrated product team regarding acquisition programs relating to covered activities for which the Center is involved.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The acquisition executive of the Center shall be—

(A) responsible to the Director for rapidly delivering acquisition solutions to meet validated artificial intelligence requirements;

(B) subordinate to the Under Secretary of Defense for Acquisition and Sustainment in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall provide the Center with ten full-time employees to support the Director in carrying out the requirements of this section. Such employees shall have experience in—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System process;

(C) program management;

(D) system engineering; and

(E) cost analysis.

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the Department of Defense.

(d) BUDGET.—Any budget proposal of the Center for funding for any covered activity described under subsection (a) shall be disaggregated by the amount requested for each covered activity.

(e) FUNDING.—In exercising the authority granted in subsection (a), the Director may not obligate or expend more than $150,000,000 out of the funds made available in each of fiscal years 2021, 2022, 2023, 2024, and 2025 to enter into new contracts to support covered activities carried out under this section.

(f) IMPLEMENTATION PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense may use the authority granted under subsection (a) 30 days after the date on which the Secretary provides to the congressional defense committees a plan for implementation such authority. The plan shall include the following:

(A) A Department of Defense-wide definition of artificial intelligence technologies, services, and capabilities.

(B) Summaries of the components to be negotiated in any memoranda of agreement with an element of the Department of Defense to carry out covered activities described under subsection (a).

(C) Timelines for the negotiation and approval of any such memorandum of agreement.

(D) Plan for oversight of the position of acquisition executive established in subsection (b).

(E) Assessment of the acquisition workforce needs of the Center to support the authority in subsection (a) until September 30, 2025.

(F) Other matters as appropriate.

(2) RELATIONSHIP TO OTHER AUTHORITIES.—The requirement to submit a plan under this subsection is in addition to the requirements under section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1293).

(g) SUNSET.—Effective October 1, 2025, the Director may not exercise the authority under subsection (a) and may not enter into any new contracts under this section. The performance on any contract entered into before such date may continue according to the terms of such contract.

(h) DEFINITIONS.—In this section:

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

(2) COVERED ACTIVITY.—The term ''covered activity''—

(A) means an acquisition activity conducted using the authority under this section; and

(B) does not include—

(i) a major defense acquisition program (as defined in section 2430 of title 10, United States Code); or

(ii) a procurement of technologies related to artificial intelligence, if the duration of such procurement is expected to be greater than five years.

(3) DIRECTOR.—The term ''Director'' means the Director of the Center.

(4) ELEMENT.—The term ''element'' means an element described under section 111(b) of title 10, United States Code.

(5) MILITARY DEPARTMENTS.—The term ''military departments'' has the meaning given in section 101(8) of title 10, United States Code.

(6) SERVICE ACQUISITION EXECUTIVE.—The term ''service acquisition executive'' has the meaning given in section 101(10) of title 10, United States Code.

SEC. 806. REFORMING THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall take such action as necessary to reform the Department of Defense to provide more effective, efficient, and economical administration and operation, and to eliminate duplication.

(b) NATIONAL DEFENSE STRATEGY.—Each national defense strategy required by section 113(g) of title 10, United States Code, shall include a description of the reform efforts described under subsection (a).

(c) DEFENSE PLANNING GUIDANCE.—The annual Defense Planning Guidance (as described in section 113(g)(2)(A) of title 10, United States Code) shall include an explanation of how the Department of Defense will carry out the reform efforts described under subsection (a).

(d) DEFENSE AUTHORIZATION REQUEST.—The Secretary of Defense shall include in the annual defense authorization request (as defined in section 113a of title 10, United States Code) a description of the savings from implementing the reform efforts described under subsection (a). Such description—

(1) shall be set forth separately from requested amounts;

(2) may not include savings relating to the deferment of requirements or taking of risk;

(3) shall be identified across the future-years defense plan; and

(4) shall provide a comparison with the savings in the annual defense authorization request from the prior year.

(e) POLICY.—The Secretary of Defense shall develop a policy and issue guidance to implement reform within the Department of Defense in order to provide more effective, efficient, and economical administration and operations, and to eliminate duplication.

(f) REPORT.—The Secretary of Defense shall report annually to Congress on the expenditures, work, and accomplishments of the Department of Defense during the period covered by the report, together with a report on the reform efforts described under subsection (a).

(g) MILITARY DEPARTMENTS.—Each Secretary of a military department shall—

(1) take such action as necessary to reform the military department to provide more effective, efficient, and economical administration and operations, and to eliminate duplication; and

(2) develop a policy and issue guidance to implement reform within the military department in order to provide more effective, efficient, and economical administration and operations, and to eliminate duplication.

(h) COMBATANT COMMANDS.—Each commander of a combatant command shall provide the Secretary of Defense with recommendations to reform the combatant command of such commander to provide more effective, efficient, and economical administration and operations, and to eliminate duplication.

SEC. 807. ALTERNATIVE SPACE ACQUISITION SYSTEM FOR THE UNITED STATES SPACE FORCE.

(a) MILESTONE DECISION AUTHORITY FOR MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.—

(1) PROGRAM EXECUTIVE OFFICER.—The Secretary of the Air Force may assign an appropriate program executive officer as the milestone decision authority for major defense acquisition programs of the United States Space Force.

(2) PROGRAM MANAGER.—The program executive officer assigned under paragraph (1) may delegate authority over major systems to an appropriate program manager.

(b) ALTERNATIVE SPACE ACQUISITION SYSTEM.—

(1) IN GENERAL.—The Secretary of Defense shall take such actions necessary to develop an acquisition pathway within the Department of Defense to be known as the ''Alternative Space Acquisition System'' that is specifically tailored for space systems and programs in order to achieve faster acquisition and more rapid fielding of critical systems (including by using new commercial capabilities and services), while maintaining accountability for effective programs that are delivered on time and on budget.

(2) GOAL.—The goal of the Alternative Space Acquisition System shall be to quickly and effectively acquire space warfighting capabilities needed to address the requirements of the national defense strategy (as defined under section 113(g) of title 10, United States Code).

(3) REPORT.—Not later than January 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the Alternative Space Acquisition System that includes the following:

(A) Proposed United States Space Force budget line items for fiscal year 2022, including—

(i) a comparison with budget line items for major defense acquisition programs and major systems of the United States Space Force for three previous fiscal years; and

(ii) measures to ensure sufficient transparency related to the performance of the Alternative Space Acquisition System and opportunities to oversee funding priorities for the Alternative Space Acquisition System;

(B) Proposed revised, flexible, and streamlined options for joint requirements validation in order to be more responsive and innovative, while ensuring the ability of the Joint Chiefs of Staff to ensure top-level system requirements are properly prioritized to address joint warfighting needs;

(C) A list of acquisition programs of the United States Space Force for which multiyear procurement authorities are recommended.

(D) A list of space acquisition programs that may be able to use existing alternative acquisition pathways.

(E) Policies for a new Alternative Space Acquisition System with specific acquisition key decision points and reporting requirements for development, fielding, and sustainment activities that meets the requirements of the adaptive acquisition framework (as described in Department of Defense Instruction 5000.02, ''Operation of the Adaptive Acquisition Framework'');

(F) Updated determination authority for procurement of useable end items that are not weapon systems.

(G) Policies and a governance structure for a separate United States Space Force budget topline, corporate process, and portfolio management process.

(H) An analysis of the risks and benefits of the delegation of the authority of the head of contracting activity authority to the Chief of Space Operations in a manner that would not expand the operations of the United States Space Force.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the submission of the report required under subsection (b)(3), the Comptroller General of the United States shall review such report and submit to the congressional defense committees an analysis and recommendations based on such report .

(d) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''major defense acquisition program'' has the meaning given in section 2430 of title 10, United States Code.

(2) MAJOR SYSTEM.—The term ''major system'' has the meaning given in section 2302 of title 10, United States Code.

(3) MILESTONE DECISION AUTHORITY.—The term ''milestone decision authority'' has the meaning given in section 2431a of title 10, United States Code.

(4) PROGRAM EXECUTIVE OFFICER; PROGRAM MANAGER.—The terms ''program executive officer'' and ''program manager'' have the meanings given those terms, respectively, in section 1737 of title 10, United States Code.

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

SEC. 811. SUSTAINMENT REFORM FOR THE DEPARTMENT OF DEFENSE.

(a) SUSTAINMENT ACTIVITIES IN THE NATIONAL DEFENSE STRATEGY.—

(1) IN GENERAL.—Section 113(g)(1)(B) of title 10, United States Code, is amended by adding at the end the following new subsection:

''(vii) A strategic framework prescribed by the Secretary that guides how the Department will prioritize and integrate activities relating to sustainment of major defense acquisition programs, core logistics capabilities (as described under section 2464 of this title), and the national technology and industrial base (as defined in section 2500 of this title).''.

(2) DUTIES OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section 133b(b) of title 10, United States Code, is amended—

(A) in paragraph (7), by striking ''and'' at the end;

(B) in paragraph (8), by striking the period at the end and inserting ''; and''; and

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

''(9) advising the Secretary on all aspects of acquisition and sustainment relating to—

''(A) major defense acquisition programs;

''(B) core logistics capabilities (as described under section 2464 of this title);

''(C) the national technology and industrial base (as defined in section 2500 of this title); and

''(D) the development of the strategic framework described in section 113(g)(1)(B)(vii) of this title.''.

(3) INTERIM GUIDANCE.—Not later than October 1, 2021, the Secretary of Defense shall publish interim guidance to carry out the requirements of this subsection.

(b) REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the progress towards publishing the interim guidance required under subsection (a)(3).

SEC. 812. MODIFICATIONS TO COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED INITIATIVES.

Section 2229b(b)(2) of title 10, United States Code, is amended by striking ''a summary of'' and all that follows through ''discussion of the'' and inserting ''a discussion of selected organizational, policy, and legislative changes, as determined appropriate by the Comptroller General, and the potential''.

SEC. 813. CONTRACTOR WHISTLEBLOWER PROTECTIONS RELATING TO NONDISCLOSURE AGREEMENTS.

(a) DEPARTMENT OF DEFENSE CONTRACTORS.—

(1) IN GENERAL.—Section 2409(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) This section applies to any disclosure made by an employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor whether or not such employee has signed, or is subject to, a nondisclosure policy, form, or agreement with such contractor, subcontractor, grantee, or subgrantee or personal services contractor.''.

(2) NOTIFICATION OF EMPLOYEES.—Section 2409(d) of title 10, United States Code, is amended—

(A) by striking ''inform'' and inserting ''submit to the Secretary or Administrator (as applicable) a certification stating that such contractor or subcontrator has informed''; and

(B) by inserting ''(including the applicability of such rights and remedies if such an employee has signed, or is subject to, a nondisclosure policy, form, or agreement)'' after ''under this section''.

(3) APPLICATION.—With respect to a nondisclosure policy, form, or agreement between a covered contractor and a covered employee that was in effect before the effective date of this Act, paragraph (4) of section 2409(a) of title 10, United States Code, as added by paragraph (1), shall apply if a covered contractor has provided notice to a covered employee of the rights and remedies of the covered employee relating to a nondisclosure policy, form, or agreement under section 2409(d) of such title, as amended by paragraph (2).

(4) WEBSITE UPDATE.—The Inspector General of the Department of Defense and the Inspector General of the National Aeronautics and Space Administration shall update any relevant websites to include information about this subsection and the amendments made by this subsection.

(5) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term ''covered contractor'' means a contractor, grantee, or personal services contractor of the Department of Defense or the National Aeronautics and Space Administration.

(B) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(b) OTHER GOVERNMENT CONTRACTORS.—

(1) IN GENERAL.—Section 4712(a) of title 41, United States Code, is amended by adding at the end the following new paragraph:

''(4) EFFECT OF A NONDISCLOSURE POLICY, FORM, OR AGREEMENT.—This section applies to any disclosure made by an employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor whether or not such employee has signed, or is subject to, a nondisclosure policy, form, or agreement with such contractor, subcontractor, grantee, or subgrantee or personal services contractor.''.

(2) NOTIFICATION OF EMPLOYEES.—Section 4712(d) of title 41, United States Code, is amended—

(A) by striking ''inform'' and inserting ''submit to the applicable head of each executive agency a certification stating that such contractor or subcontrator has informed''; and

(B) by inserting ''(including the applicability of such rights and remedies if such an employee has signed, or is subject to, a nondisclosure policy, form, or agreement)'' after ''under this section''.

(3) APPLICATION.—With respect to a nondisclosure policy, form, or agreement between a covered contractor and a covered employee that was in effect before the effective date of this Act, paragraph (4) of section 4712(a) of title 41, United States Code, as added by paragraph (1), shall apply if a covered contractor has provided notice to a covered employee of the rights and remedies of the covered employee relating to a nondisclosure policy, form, or agreement under section 4712(d) of such title, as amended by paragraph (2).

(4) WEBSITE UPDATE.—Each Inspector General (as defined in section 4712(g) of title 41, United States Code) shall update any relevant websites to include information about this subsection and the amendments made by this subsection.

(5) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term ''covered contractor'' means a contractor, grantee, or personal services contractor for a Federal contract or grant (as defined for purposes of division C of title 41).

(B) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(c) NOTIFICATION AND REMEDIES.—

(1) NOTIFICATION.—A covered contractor shall inform the contracting officer responsible for any contracts of such covered contractor—

(A) if a person engaged in the performance of any such contract has been subjected to a reprisal prohibited by section 2409(a) of title 10, United States Code, or section 4712(a) of title 41, United States Code, where such reprisal has been substantiated;

(B) any investigation of a complaint relating to any such contract conducted by an Inspector General pursuant to section 2409(b) of title 10, United States Code, or section 4712(b) of title 41, United States Code; and

(C) any action taken by a covered contractor or a covered employee for any such contract to address a substantiated reprisal described in subparagraph (A).

(2) REMEDIES.—In addition to other remedies available, if a covered contractor fails to comply with the requirements of paragraph (1), the relevant head of a Federal agency may—

(A) require the covered contractor to prohibit a covered employee from performing a contract if such covered employee has violated section 2409(a) of title 10, United States Code, or section 4712(a) of title 41, United States Code;

(B) require the covered contractor to terminate a subcontract if the subcontractor for such subcontract has violated such sections;

(C) suspend payments to a covered contractor until such covered contractor has taken appropriate remedial action.

(3) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term ''covered contractor'' means—

(i) with respect to a contract of the Department of Defense or the National Aeronautics and Space Administration, a contractor, grantee, or personal services contractor; and

(ii) with respect to a Federal contract or grant (as defined for purposes of division C of title 41), a contractor, grantee, or personal services contractor for such a Federal contract or grant.

(B) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(d) TRAINING.—The Administrator of the Office of Federal Procurement Policy shall update any required training for Federal employees responsible for contract oversight relating to—

(1) contracting certification requirements;

(2) processes for receiving a complaint from a person alleging discrimination as a reprisal for disclosing information under section 2409(a) of title 10, United States Code, or section 4712(a) of title 41, United States Code; and

(3) prohibitions on contracting with entities that require confidentiality agreements.

SEC. 814. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.

(a) COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—Subsections (a) and (b) of section 2410n of title 10, United States Code, are amended to read as follows:

''(a) MARKET RESEARCH.—Before purchasing a product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

''(1) is comparable to products available from the private sector; and

''(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

''(b) COMPETITION REQUIREMENT.—If the Secretary determines that a Federal Prison Industries product is not comparable to products available from the private sector and does not best meet the needs of the Department of Defense in terms of price, quality, or time of delivery, the Secretary shall use competitive procedures or make an individual purchase under a

multiple award contract for the procurement of the product. In conducting such a competition or making such a purchase, the Secretary shall consider a timely offer from Federal Prison Industries.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.

SEC. 815. DISCLOSURE OF BENEFICIAL OWNERS IN DATABASE FOR FEDERAL AGENCY CONTRACT AND GRANT OFFICERS.

Section 2313(d)(3) of title 41, United States Code, is amended by inserting '', and an identification of any beneficial owner of such corporation,'' after ''to the corporation''.

SEC. 816. INCLUSION OF OPTICAL TRANSMISSION COMPONENTS IN THE ANALYTICAL FRAMEWORK FOR SUPPLY CHAIN RISKS.

Section 2509(b)(2)(A)(ii) of title 10, United States Code, is amended by striking ''(other than optical transmission components)''.

SEC. 817. AMENDMENT TO DEFINITION OF QUALIFIED APPRENTICE.

Section 2870(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''or'' at the end;

(2) in paragraph (2), by striking ''; or'' at the end and inserting a period; and

(3) by striking paragraph (3).

SEC. 818. CONTRACT CLOSEOUT AUTHORITY FOR SERVICES CONTRACTS.

Section 836 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2302 note) is amended—

(1) by amending subsection (b)(1) to read as follows:

''(1) was entered into—

''(A) with respect to a contract or group of contracts for services, on a date that is the later of—

''(i) at least 7 fiscal years before the current fiscal year; and

''(ii) the number of years applicable to the contract or group of contracts in subpart 4.7 of the Federal Acquisition Regulation (as in effect on April 1, 2020);

''(B) with respect to a contract or group of contracts not described in subparagraph (A), on a date that is at least 17 fiscal years before the current fiscal year;'';

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

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

''(f) OVERSIGHT.—The Secretary of Defense, acting through the Director of the Defense Contract Management Agency, shall establish and maintain a centralized capability with necessary expertise and resources to provide oversight of the closeout of a contract or group of contracts covered by this section.''.

SEC. 819. PLAN TO IMPROVE DEPARTMENT-WIDE MANAGEMENT OF INVESTMENTS IN WEAPON SYSTEMS.

(a) PORTFOLIO MANAGEMENT PLAN.—The Secretary of Defense shall direct the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chairman of the Joint Chiefs of Staff, and the Director of Cost Assessment and Program Evaluation, to develop a plan to identify, develop, and acquire databases, analytical and financial tools, and workforce skills to improve the Department of Defense-wide assessment, management, and optimization of the investments in weapon systems of the Department, including through consolidation of duplicate or similar weapon system programs.

(b) PLAN CONTENTS.—The plan developed under subsection (a) shall—

(1) describe the databases and analytical and financial tools in use by the Department of Defense that may be used to support the Department-wide assessment, management, and optimization of the investments in weapon systems of the Department;

(2) determine the database and analytical and financial tool requirements that must be met, and the workforce skills necessary, for more effective Department-wide reviews, analyses, and management by the Secretary of the investments in weapon systems of the Department;

(3) identify the skills described in paragraph (2) that are possessed by the workforce of the Department;

(4) identify the databases and analytical and financial tools to be modified, developed, or acquired to improve the Department-wide reviews, analyses, and management of the investments in weapon systems of the Department; and

(5) set forth a timeline for implementing the plan, including a timeline for the modification, development, and acquisition of each database and analytical and financial tool identified under paragraph (4).

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the plan developed under subsection (a).

(2) FORM.—The plan submitted under paragraph (1) shall be in an unclassified form but may contain a classified annex.

Subtitle C—Industrial Base Matters

SEC. 821. QUARTERLY NATIONAL TECHNOLOGY AND INDUSTRIAL BASE BRIEFINGS.

(a) IN GENERAL.—Section 2504 of title 10, United States Code, is amended—

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

''(a) ANNUAL REPORT.—The Secretary''; and

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

''(b) QUARTERLY BRIEFINGS.—(1) The Secretary of Defense shall ensure that the congressional defense committees receive quarterly briefings on the progress of the Department of Defense to address the prioritized list of gaps or vulnerabilities in the national technology and industrial base described in subsection (a)(3)(B) as follows:

''(A) One quarterly briefing per year shall be provided by the Secretary of the Army.

''(B) One quarterly briefing per year shall be provided by the Secretary of the Navy.

''(C) One quarterly briefing per year shall be provided by the Secretary of the Air Force.

''(D) One quarterly briefing per year shall be provided by all appropriate heads of the Defense Agencies identified under subsection (a)(3)(B)(ii).

''(2) Each briefing under paragraph (1) shall include an update of the progress of addressing such gaps or vulnerabilities by the Secretary concerned or the appropriate head of a Defense Agency, including an update on—

''(A) actions taken to address such gaps or vulnerabilities;

''(B) the mitigation strategies necessary to address such gaps or vulnerabilities; and

''(C) the proposed timeline for action to address such gaps or vulnerabilities.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 2504 of such title is amended to read as follows:

''§ 2504. National technology and industrial base: annual report and quarterly briefings''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 148 of such title is amended by striking the item relating to section 2504 and inserting the following new item:

''2504. National technology and industrial base: annual report and quarterly briefing.''.

SEC. 822. EXPANSION ON THE PROHIBITION ON ACQUIRING CERTAIN METAL PRODUCTS.

(a) IN GENERAL.—Section 2533c of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''material melted'' and inserting ''material mined, refined, separated, melted,''; and

(2) in subsection (c)(3)(A)(i), by striking ''tungsten'' and inserting ''covered material''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is three years after the date of the enactment of this Act.

SEC. 823. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) TECHNICAL AMENDMENT.—The second subsection (k) of section 2534 of title 10, United States Code (relating to Implementation of Auxiliary Ship Component Limitation), is redesignated as subsection (l).

(b) COMPONENTS FOR AUXILIARY SHIPS.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (l), the following components:

''(A) Large medium-speed diesel engines.

''(B) Auxiliary equipment, including pumps, for all shipboard services.

''(C) Propulsion system components, including engines, reduction gears, and propellers.

''(D) Shipboard cranes.

''(E) Spreaders for shipboard cranes.''.

(c) IMPLEMENTATION.—Subsection (l) of section 2534 of title 10, United States Code, as redesignated by subsection (a), is amended—

(1) by redesignating the second sentence to appear as flush text at the end;

(2) by striking ''auxiliary ship after the date'' and inserting the following: ''auxiliary ship—

''(1) with respect to large medium-speed diesel engines described under subparagraph (A) of such subsection, after the date'';

(3) in paragraph (1) (as so designated), by striking ''Navy.'' and inserting ''Navy; and''; and

(4) by inserting after paragraph (1) (as so designated) the following new paragraph:

''(2) with respect to components listed in subparagraphs (B) through (E) of such subsection, after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SEC. 824. PREFERENCE FOR SOURCING RARE EARTH MATERIALS FROM THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

The Secretary of Defense shall, to the maximum extent practicable, acquire materials that are determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States in the following order of preference:

(1) From sources located within the United States.

(2) From sources located within the national technology and industrial base (as defined in section 2500 of title 10, United States Code).

(3) From other sources as appropriate.

SEC. 825. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of any procurement carried out in connection with major defense acquisition programs.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) IN GENERAL.—For purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition program shall be deemed to be manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, if such component articles, materials, or supplies—

(A) not later than October 1, 2021, comprise 75 percent of the manufactured articles, materials, or supplies;

(B) not later than October 1, 2022, comprise 80 percent of the manufactured articles, materials, or supplies;

(C) not later than October 1, 2023, comprise 85 percent of the manufactured articles, materials, or supplies;

(D) not later than October 1, 2024, comprise 90 percent of the manufactured articles, materials, or supplies;

(E) not later than October 1, 2025, comprise 95 percent of the manufactured articles, materials, or supplies; and

(F) not later than October 1, 2026, comprise 100 percent of the manufactured articles, materials, or supplies.

(2) WAIVER.—Before Milestone A approval (as defined in section 2366a(d) of title 10, United States Code) is granted for a major defense acquisition program, the Secretary of Defense shall determine whether or not to grant a waiver of the requirements of paragraph (1).

(3) EFFECTIVE DATE.—The domestic content requirement under paragraph (1) applies to contracts entered into on or after October 1, 2021.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning given in section 2430 of title 10, United States Code.

SEC. 826. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

(a) PURCHASES.—Beginning in fiscal year 2023, the Secretary of Defense shall require that any contractor or subcontractor that provides covered printed circuit boards for use by the Department of Defense to certify that, of the total value of the covered printed circuit boards provided by such contractor or subcontractor pursuant to a contract with the Department of Defense, not less than the percentages set forth in subsection (b) were manufactured and assembled within a covered country.

(b) IMPLEMENTATION.—In making a certification under subsection (a), a contractor or subcontractor shall use the following percentages:

(1) During fiscal years 2023 through 2027, the greater of—

(A) 50 percent; or

(B) 75 percent, if the Secretary of Defense has determined that suppliers in covered countries are capable of supplying 75 percent of Department of Defense requirements for printed circuit boards.

(2) During fiscal years 2028 through 2032, the greater of—

(A) 75 percent; or

(B) 100 percent, if the Secretary of Defense has determined that suppliers in covered countries are capable of supplying 100 percent of Department of Defense requirements for printed circuit boards.

(3) Beginning in fiscal year 2033, 100 percent.

(c) REMEDIATION.—

(1) IN GENERAL.—In the event that a contractor or subcontractor is unable to make the certification required under subsection (a), the Secretary may accept covered printed circuit boards from such contractor or subcontractor for up to one year while requiring the contractor to complete a remediation plan. Such a plan shall be submitted to the congressional defense committees and shall require the contractor or subcontractor that failed to make the certification required under subsection (a) to—

(A) audit its supply chain to identify any areas of security vulnerability and noncompliance with section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); and

(B) meet the requirements of subsection (a) within one year after the initial missed certification deadline.

(2) RESTRICTION.—No contractor or subcontractor that has supplied covered printed circuit boards while under a remediation plan shall be eligible to enter into another remediation plan under subsection (c) for a period of five years.

(d) WAIVER.—The Secretary of Defense may waive the requirement under subsection (a) with respect to a contractor or subcontractor if the Secretary determines that—

(1) there are no significant national security concerns regarding counterfeiting, quality, or unauthorized access created by accepting covered printed circuit boards under such waiver; and

(2) the contractor is otherwise in compliance with all relevant cybersecurity provisions relating to members of the defense industrial base, including section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(e) AVAILABILITY EXCEPTION.—Subsection (a) shall not apply to the extent that the Secretary of Defense or the Secretary of the military department concerned determines that covered printed circuit boards of satisfactory quality and sufficient quantity, in the required form, cannot be procured as and when needed from covered countries.

(f) DEFINITIONS.—In this section:

(1) COVERED COUNTRY.—The term ''covered country'' means—

(A) the United States; or

(B) a foreign country whose government has a memorandum of understanding or agreement with the United States that—

(i) where applicable, complies with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10, United States Code; and

(ii) either—

(I) requires the United States to purchase supplies from foreign sources for the purposes of offsetting sales made the by United States Government or United States firms under approved programs serving defense requirements; or

(II) under which the United States and such government agree to remove barriers to purchase supplies produced in such foreign country or services performed by sources of such foreign country.

(2) COVERED PRINTED CIRCUIT BOARD.—

(A) IN GENERAL.—The term ''covered printed circuit board'' means any printed circuit board that is—

(i) a product that is not a commercial product (as defined in section 103 of title 41, United States Code); or

(ii) a commercial product (as defined in section 103 of title 41, United States Code), other than a commercially available off-the-shelf item (as defined in section 104 of title 41, United States Code) not described in subparagraph (B).

(B) COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS DESCRIBED.—The commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) described in this subparagraph are such items that are acquired under a contract with an award value that is greater than the micro-purchase threshold under section 2338 of title 10, United States Code, for use as an integral component in a system designed for—

(i) telecommunications, including data communications and fifth-generation cellular communications;

(ii) data storage;

(iii) medical applications;

(iv) networking;

(v) computing;

(vi) radar;

(vii) munitions; or

(viii) any other system that the Secretary of Defense determines should be covered under this section.

(3) SUBCONTRACTOR.—The term ''subcontractor'' includes subcontractors at any tier.

SEC. 827. REPORT ON USE OF DOMESTIC NONAVAILABILITY DETERMINATIONS.

Not later than September 30, 2021, and annually thereafter, the Secretary of Defense shall submit a report to congressional defense committees—

(1) describing in detail the use of any waiver or exception by the Department of Defense to the requirements of chapter 83 of title 41, United States Code, or section 2533a of title 10, United States Code, relating to domestic nonavailability determinations;

(2) specifying the type of waiver or exception used; and

(3) providing an assessment of the impact on the use of such waivers or exceptions due to the COVID–19 pandemic and associated challenges with investments in domestic sources.

SEC. 828. SENSE OF CONGRESS ON THE PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.

(a) FINDINGS.—Congress finds the following:

(1) Prohibiting the use of telecommunications and video surveillance products or services from certain Chinese entities within the Federal Government's supply chain is essential to our national security.

(2) Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1917; 41 U.S.C. note prec. 3901) restricts Federal agencies from procuring, contracting with entities that use, or funding the purchase of certain telecommunications products of Chinese companies determined by Congress to pose a substantial threat to the security of our communication infrastructure.

(3) Specifically, section 889(a)(1)(B) of such Act, effective August 13, 2020, will prohibit Federal agencies from entering into, extending, or renewing a contract with an entity that uses covered telecommunications and video surveillance equipment or services from designated Chinese companies, including Huawei and ZTE, in their supply chains.

(4) As of July 1, 2020, the Federal Acquisition Regulatory Council has yet to release a draft rule for public comment on the implementation of the prohibitions described in section 889(a)(1)(B) of such Act, leaving Federal agencies and contractors that provide equipment and services to the Federal Government without implementation guidance necessary to adequately plan for or comply with the prohibitions.

(5) Belated, and then hurried, implementation of this critical prohibition puts at risk the Federal Government's ability to acquire essential goods and services and increases vulnerability in the supply chain through inconsistent implementation.

(6) A senior Department of Defense leader testified on June 10, 2020, that, ''I am very concerned about being able to implement [the prohibition] in August, as well as totally comply within two years . . . I believe we need more time''.

(7) Subsequent to the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), Congress established the Federal Acquisition Security Council (FASC)—comprised of senior officials from the Office of Management and Budget, General Services Administration, Department of Defense, Department of Homeland Security and the intelligence community—to streamline the Federal Government's supply chain risk management efforts and develop criteria and processes for supply chain information sharing among executive agencies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) successful implementation of the prohibition on using or procuring certain telecommunications and video surveillance equipment under section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019

(Public Law 115–232; 132 Stat. 1917; 41 U.S.C. note prec. 3901) is critical to protecting the supply chain of the Federal Government, and Federal agencies should draw upon the expert resources available (such as the Federal Acquisition Security Council established under subchapter III of chapter 13 of title 41, United States Code) to ensure implementation of such prohibition is done in a comprehensive and deliberative manner; and

(2) the Federal Acquisition Regulatory Council shall ensure successful implementation of such prohibition by providing sufficient time for public comment and review of any related rulemaking.

Subtitle D—Small Business Matters

SEC. 831. TRANSFER OF VERIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS OR SERVICE-DISABLED VETERANS TO THE SMALL BUSINESS ADMINISTRATION.

(a) TRANSFER DATE.—For purposes of this section, the term ''transfer date'' means the date that is 2 years after the date of enactment of this section, except that such date may be extended an unlimited number of times by a period of not more than 6 months if the Administrator of the Small Business Administration and the Secretary of Veterans Affairs jointly issue a notice to Congress and the Law Revision Counsel of the House of Representatives containing—

(1) a certification that such extension is necessary;

(2) the rationale for and the length of such extension; and

(3) a plan to comply with the requirements of this section within the timeframe of the extension.

(b) AMENDMENT TO AND TRANSFER OF VETERAN-OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSINESS DATABASE.—

(1) AMENDMENT OF VETERAN-OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSINESS DATABASE.—Effective on the transfer date, section 8127 of title 38, United States Code, is amended—

(A) in subsection (e)—

(i) by striking ''the Secretary'' and inserting ''the Administrator''; and

(ii) by striking ''subsection (f)'' and inserting ''section 36 of the Small Business Act'';

(B) in subsection (f)—

(i) by striking ''the Secretary'' each place such term appears, other than in the last place such term appears under paragraph (2)(A), and inserting ''the Administrator'';

(ii) in paragraph (1), by striking ''small business concerns owned and controlled by veterans with service-connected disabilities'' each place such term appears and inserting ''small business concerns owned and controlled by service-disabled veterans'';

(iii) in paragraph (2)—

(I) in subparagraph (A), by striking ''to access'' and inserting ''to obtain from the Secretary of Veterans Affairs''; and

(II) by striking subparagraph (B) and inserting the following:

''(B) For purposes of this subsection—

''(i) the Secretary of Veterans Affairs shall—

''(I) verify an individual's status as a veteran or a service-disabled veteran; and

''(II) establish a system to permit the Administrator to access, but not alter, such verification; and

''(ii) the Administrator shall verify—

''(I) the status of a business concern as a small business concern; and

''(II) the ownership and control of such business concern.

''(C) The Administrator may not certify a concern under subsection (b) or section 36A if the Secretary of Veterans Affairs cannot provide the verification described under subparagraph (B)(i)(I).'';

(iv) by striking paragraphs (4) and (7);

(v) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively, and redesignating paragraph (8) as paragraph (6);

(vi) in paragraph (4), as so redesignated, by striking ''The Secretary'' and inserting ''The Administrator''; and

(vii) in paragraph (6), as so redesignated—

(I) in subparagraph (A)—

(aa) by striking ''verify the status of the concern as a small business concern or the ownership or control of the concern'' and inserting ''certify the status of the concern as a small business concern owned and controlled by veterans (under section 36A) or a small business concern owned and controlled by service-disabled veterans (under section 36(g))''; and

(bb) by striking ''verification'' and inserting ''certification'';

(II) in subparagraph (B)—

(aa) in clause (i), by striking ''small business concern owned and controlled by veterans with service-connected disabilities'' and inserting ''small business concern owned and controlled by service-disabled veterans''; and

(bb) in clause (ii)—

(AA) by amending subclause (I) to read as follows:

''(I) the Secretary of Veterans Affairs or the Administrator; or''; and

(BB) in subclause (II), by striking ''the contracting officer of the Department'' and inserting ''the applicable contracting officer''; and

(III) by striking subparagraph (C);

(C) by redesignating subsection (k) (relating to definitions) as subsection (l);

(D) by inserting after subsection (j) (relating to annual reports) the following:

''(k) ANNUAL TRANSFER FOR CERTIFICATION COSTS.—For each fiscal year, the Secretary of Veterans Affairs shall reimburse the Administrator in an amount necessary to cover any cost incurred by the Administrator for certifying small business concerns owned and controlled by veterans that do not qualify as small business concerns owned and controlled by service-disabled veterans for the Secretary for purposes of this section and section 8128 of this title. The Administrator is authorized to accept such reimbursement. The amount of any such reimbursement shall be determined jointly by the Secretary and the Administrator and shall be provided from fees collected by the Secretary under multiple-award schedule contracts. Any disagreement about the amount shall be resolved by the Director of the Office of Management and Budget.''; and

(E) subsection (l) (relating to definitions), as so redesignated, by adding at the end the following:

''(4) The term Administrator means the Administrator of the Small Business Administration.''.

(2) TRANSFER OF REQUIREMENTS RELATING TO DATABASE TO THE SMALL BUSINESS ACT.—Effective on the transfer date, subsection (f) of section 8127 of title 38, United States Code (as amended by paragraph (1)), is transferred to section 36 of the Small Business Act (15 U.S.C. 657f), inserted so as to appear after subsection (e).

(3) CONFORMING AMENDMENTS.—The following amendments shall take effect on the transfer date:

(A) SMALL BUSINESS ACT.—Section 3(q)(2)(C)(i)(III) of the Small Business Act (15 U.S.C. 632(q)(2)(C)(i)(III)) is amended by striking ''section 8127(f) of title 38, United States Code'' and inserting ''section 36''.

(B) TITLE 38.—Section 8128 of title 38, United States Code, is amended by striking ''section 8127(f) of this title'' and inserting ''section 36 of the Small Business Act''.

(c) ADDITIONAL REQUIREMENTS FOR DATABASE.—

(1) ADMINISTRATION ACCESS TO DATABASE BEFORE THE TRANSFER DATE.—During the period between the date of the enactment of this section and the transfer date, the Secretary of Veterans Affairs shall provide the Administrator of the Small Business Administration with access to the contents of the database described under section 8127(f) of title 38, United States Code.

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

(A) as prohibiting the Administrator of the Small Business Administration from combining the contents of the database described under section 8127(f) of title 38, United States Code, with other databases maintained by the Administration; or

(B) as requiring the Administrator to use any system or technology related to the database described under section 8127(f) of title 38, United States Code, on or after the transfer date to comply with the requirement to maintain a database under subsection (f) of section 36 of the Small Business Act (as transferred pursuant to subsection (b)(2) of this section).

(3) RECOGNITION OF THE ISSUANCE OF JOINT REGULATIONS.—The date specified under section 1832(e) of the National Defense Authorization Act for Fiscal Year 2017 (15 U.S.C. 632 note) shall be deemed to be October 1, 2018.

(d) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

(1) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) by striking subsections (d) and (e);

(B) by redesignating subsections (a), (b), and (c) as subsections (c), (d), and (e) respectively;

(C) by inserting before subsection (c), as so redesignated, the following:

''(a) CONTRACTING OFFICER DEFINED.—For purposes of this section, the term 'contracting officer' has the meaning given such term in section 2101 of title 41, United States Code.

''(b) CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—With respect to a procurement program or preference established under this Act that applies to prime contractors, the Administrator shall—

''(1) certify the status of the concern as a 'small business concern owned and controlled by service-disabled veterans'; and

''(2) require the periodic recertification of such status.'';

(D) in subsection (d), as so redesignated, by striking ''and that the award can be made at a fair market price'' and inserting '', that the award can be made at a fair market price, and if each concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans''; and

(E) by adding at the end the following:

''(g) CERTIFICATION REQUIREMENT.—Notwithstanding subsection (c), a contracting officer may only award a sole source contract to a small business concern owned and controlled by service-disabled veterans or a contract on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if such a concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans.

''(h) ENFORCEMENT; PENALTIES.—

''(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

''(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (b)); and

''(B) verification by the Administrator of the accuracy of any certification made or information provided to the Administration by a small business concern under subsection (b).

''(2) EXAMINATIONS.—

''(A) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the

Administrator of any small business concern making a certification or providing information to the Administrator under subsection (b), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (b).

''(B) EXAMINATION OF CERTIFIED CONCERNS.—The procedures established under paragraph (1) shall provide for the examination of risk-based samples of small business concerns certified under subsection (b), or of any small business concern that the Administrator believes poses a particular risk or with respect to which the Administrator receives specific and credible information alleging that the small business concern no longer meets eligibility requirements to be certified as a small business concern owned and controlled by service-disabled veterans.

''(3) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a small business concern owned and controlled by service-disabled veterans for purposes of subsection (b), shall be subject to—

''(A) section 1001 of title 18, United States Code;

''(B) sections 3729 through 3733 of title 31, United States Code; and

''(C) section 8127(g) of title 38, United States Code.

''(i) PROVISION OF DATA.—Upon the request of the Administrator, the head of any Federal department or agency shall promptly provide to the Administrator such information as the Administrator determines to be necessary to carry out subsection (b) or to be able to certify the status of the concern as a small business concern owned and controlled by veterans under section 36A.''.

(2) PENALTIES FOR MISREPRESENTATION.—Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(A) in subsection (d)(1)—

(i) by striking '', a'' and inserting '', a 'small business concern owned and controlled by service-disabled veterans', a 'small business concern owned and controlled by veterans', a''; and

(ii) in paragraph (A), by striking ''9, 15, or 31'' and inserting ''8, 9, 15, 31, 36, or 36A''; and

(B) in subsection (e), by striking '', a'' and inserting '', a 'small business concern owned and controlled by service-disabled veterans', a 'small business concern owned and controlled by veterans', a''.

(e) CERTIFICATION FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 36 the following new section:

''SEC. 36A. CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

''(a) IN GENERAL.—With respect to the program established under section 8127 of title 38, United States Code, the Administrator shall—

''(1) certify the status of the concern as a 'small business concern owned and controlled by veterans'; and

''(2) require the periodic recertification of such status.

''(b) ENFORCEMENT; PENALTIES.—

''(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

''(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (a)); and

''(B) verification by the Administrator of the accuracy of any certification made or information provided to the Administration by a small business concern under subsection (a).

''(2) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the Administrator of any small business concern making a certification or providing information to the Administrator under subsection (a), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (a).

''(3) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a small business concern owned and controlled by veterans for purposes of subsection (a), shall be subject to—

''(A) section 1001 of title 18, United States Code;

''(B) sections 3729 through 3733 of title 31, United States Code; and

''(C) section 8127(g) of title 38, United States Code.''.

(f) STATUS OF SELF-CERTIFIED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans shall—

(A) if the concern files a certification application with the Administrator of the Small Business Administration before the end of the 1-year period beginning on the transfer date, maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(B) if the concern does not file such a certification application before the end of the 1-year period beginning on the transfer date, lose, at the end of such 1-year period, any self-certification of the concern as a small business concern owned and controlled by service-disabled veterans.

(2) NON-APPLICABILITY TO DEPARTMENT OF VETERANS AFFAIRS.—Paragraph (1) shall not apply to participation in contracts (including subcontracts) with the Department of Veterans Affairs.

(3) NOTICE.—The Administrator shall notify any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans about the requirements of this section, including the transfer date and any extension of such transfer date made pursuant to subsection (a), and make such notice publicly available, on—

(A) the date of the enactment of this section; and

(B) the date on which an extension described under subsection (a) is approved.

(g) TRANSFER OF THE CENTER FOR VERIFICATION AND EVALUATION OF THE DEPARTMENT OF VETERANS AFFAIRS TO THE SMALL BUSINESS ADMINISTRATION.—

(1) ABOLISHMENT.—The Center for Verification and Evaluation of the Department of Veterans Affairs defined under section 74.1 of title 38, Code of Federal Regulations, is abolished effective on the transfer date.

(2) TRANSFER OF FUNCTIONS.—All functions that, immediately before the effective date of this subsection, were functions of the Center for Verification and Evaluation shall—

(A) on the date of enactment of this section, be functions of both the Center for Verification and Evaluation and the Small Business Administration, except that the Small Business Administration shall not have any authority to carry out any verification functions of the Center for Verification and Evaluation; and

(B) on the transfer date, be functions of the Small Business Administration.

(3) TRANSFER OF ASSETS.—So much of the personnel, property, and records employed, used, held, available, or to be made available in connection with a function transferred under this subsection shall be available to the Small Business Administration at such time or times as the President directs for use in connection with the functions transferred.

(4) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to a function of the Center for Verification and Evaluation that is transferred under this section is deemed, after the transfer date, to refer to the Small Business Administration.

(h) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this section and every 6 months thereafter until the transfer date, the Administrator of the Small Business Administration and Secretary of Veterans Affairs shall jointly issue a report to the Committees on Appropriations, Small Business, and Veterans' Affairs of the House of Representatives and the Committees on Appropriations, Small Business and Entrepreneurship, and Veterans' Affairs of the Senate on the planning for the transfer of functions and property required under this section and the amendments made by this section on the transfer date. Such report shall include—

(1) whether and how the verification database and operations of the Center for Verification and Evaluation of the Department of Veterans Affairs will be incorporated into the existing certification database of the Small Business Administration;

(2) projections for the numbers and timing, in terms of fiscal year, of—

(A) already verified concerns that will come up for recertification; and

(B) self-certified concerns that are expected to apply for certification;

(3) an explanation of how outreach to veteran service organizations, the service-disabled veteran-owned and veteran-owned small business community, and other stakeholders will be conducted; and

(4) other pertinent information determined by the Administrator and the Secretary.

SEC. 832. EQUITABLE ADJUSTMENTS TO CERTAIN CONSTRUCTION CONTRACTS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 15 the following new section:

''SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION CONTRACTS.

''(a) REQUEST FOR AN EQUITABLE ADJUSTMENT.—A small business concern performing a construction contract that was awarded by an agency may submit a request for an equitable adjustment to the contracting officer of such agency if the contracting officer directs a change in the work within the general scope of the contract without the agreement of the small business concern. Such request shall—

''(1) be timely made pursuant to the terms of the contract; and

''(2) comply with Federal regulations regarding equitable adjustments, including specifying additional costs resulting from such change in the work within the general scope of the contract.

''(b) AMOUNT.—Upon receipt of a request for equitable adjustment under subsection (a), the agency shall provide to the small business concern an interim partial payment in an amount that is at least 50 percent of the costs identified in the request for equitable adjustment under subsection (a)(2).

''(c) LIMITATION.—Any interim partial payment made under this section shall not be deemed to be an action to definitize the request for an equitable adjustment.

''(d) FLOW-DOWN OF INTERIM PARTIAL PAYMENT AMOUNTS.—A small business concern that requests an equitable adjustment under this section shall pay to a first tier subcontractor or supplier the portion of the interim partial payment received that is attributable to the increased costs of performance incurred by the first tier subcontractor or supplier due to the change in the work within the general scope of the contract. A subcontractor or supplier at any tier that receives a portion of an interim partial

payment under this section shall pay its subcontractor or supplier the appropriate portion of such payment.''.

(b) IMPLEMENTATION.—The Administrator of the Small Business Administration shall implement the requirements of this section not later than the first day of the first full fiscal year beginning after the date of the enactment of this Act.

SEC. 833. EXEMPTION OF CERTAIN CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS FROM CATEGORY MANAGEMENT REQUIREMENTS.

(a) IN GENERAL.—The Small Business Act is amended—

(1) by redesignating section 49 as section 50; and

(2) by inserting after section 48 the following new section:

''SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CATEGORY MANAGEMENT REQUIREMENTS.

''(a) IN GENERAL.—A contract awarded under section 8(a), 8(m), 31, or 32 that is classified as tier 0—

''(1) shall be exempt from the procedural requirements of any Federal rule or guidance on category management or successor strategies for contract consolidation; and

''(2) may not be included when measuring the attainment of any goal or benchmark established under any Federal rule or guidance on category management or successor strategies for contract consolidation, unless the inclusion of such contract aids in the achievement of such a goal or benchmark.

''(b) DEFINITIONS.—In this section:

''(1) CATEGORY MANAGEMENT.—The term 'category management' has the meaning given such term by the Director of the Office of Management and Budget.

''(2) TIER 0.—The term 'tier 0' has the meaning given such term by the Director of the Office of Management and Budget with respect to the Spend Under Management tiered maturity model, or any successor model.''.

(b) APPLICATION.—Section 49 of the Small Business Act, as added by subsection (a), shall apply with respect to contracts entered into on or after the date of the enactment of this Act.

(c) PLAN AND REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report including a plan to increase the participation of small business concerns in agency-wide or Government-wide contracts (including best in class designations as defined in section 15(h)(4)(B)). Such plan shall include—

(A) strategies to increase the amount and frequency of opportunities for small business concerns to participate in agency-wide or Government-wide contracts;

(B) strategies to ease or eliminate requirements that impede such participation of small business concerns; and

(C) a specific goal for the number of small business concerns participating in agency-wide or Government-wide contracts and a timeline to achieve such goal.

(2) IMPLEMENTATION.—Not later than 60 days after the submission of the report required under paragraph (1), the Director of the Office of Management and Budget shall implement the plan contained in such report.

(d) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to carry out this Act and the amendment made by this Act.

SEC. 834. REPORT ON ACCELERATED PAYMENTS TO CERTAIN SMALL BUSINESS CONCERNS.

(a) REPORT.—Not later than 3 months after the date of the enactment of this section, the head of each Federal agency shall submit to Congress a report on the timeliness of payments made to a covered prime contractor. Such report shall include—

(1) the date on which the Federal agency began providing accelerated payments in accordance with section 2307(a)(2) of title 10, United States Code, or paragraphs (10) and (11) of section 3903(a) of title 31, United States Code, as applicable, to a covered prime contractor;

(2) of contracts to which such sections apply, the amount and percentage of covered contracts with accelerated payment terms in accordance with such sections; and

(3) whether and on what date the agency discontinued implementation of the Office of Management and Budget Circular M–11–32 titled ''Accelerating Payments to Small Businesses for Goods and Services'' (issued September 14, 2011).

(b) DEFINITIONS.—In this section:

(1) COVERED PRIME CONTRACTOR.—The term ''covered prime contractor'' means—

(A) a prime contractor (as defined in section 8701 of title 41) that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)); and

(B) a prime contractor that subcontracts with a small business concern.

(2) COVERED CONTRACT.—The term ''covered contract'' means a contract entered into by a covered prime contractor—

(A) on or after August 13, 2018, with respect to a contract entered into the head of an agency (as defined in section 2302 of title 10, United States Code); or

(B) on or after December 20, 2019, with respect to a contract entered into with the head of an agency (as defined in section 3901 of title 31, United States Code).

(3) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given ''agency'' in section 551(a) of title 5, United States Code.

Subtitle E—Other Matters

SEC. 841. MODIFICATIONS TO SUPERVISION AND AWARD OF CERTAIN CONTRACTS.

(a) SUPERVISION OF MILITARY CONSTRUCTION PROJECTS.—Section 2851 of title 10, United States Code, is amended—

(1) in subsection (c)(1)—

(A) by inserting ''or appropriated'' after ''funds authorized'' each place such term appears; and

(B) in subparagraph (E), by inserting '', Facilities Sustainment, Restoration, and Modernization (FSRM) project,'' after ''military construction project''; and

(2) in subsection (c)(2)—

(A) by inserting '', deadline for bid submissions,'' after ''solicitation date'';

(B) by inserting ''(including the address of such recipient)'' after ''contract recipient''; and

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

''(H) Any subcontracting plan required under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for the project submitted by the contract recipient to the Secretary of Defense.

''(I) A detailed written statement describing and justifying any exception applied or waiver granted under—

''(i) chapter 83 of title 41;

''(ii) section 2533a of this title; or

''(iii) section 2533b of this title.''; and

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

''(4) The information required to be published on the Internet website under subsection (c) shall constitute a record for the purposes of Chapter 21, 29, 31, and 33 of title 44.''.

(b) REQUIREMENTS RELATING TO THE AWARD OF COVERED MILITARY CONSTRUCTION CONTRACTS.—

(1) REQUIREMENTS.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2851 the following new section:

''§2851a. Requirements relating to the award of covered military construction contracts

''(a) PUBLICATION OF CERTAIN INFORMATION RELATING TO COVERED MILITARY CONSTRUCTION CONTRACTS.—

''(1) CONTRACTOR REQUIREMENTS.—A contractor that has been awarded a covered military construction contract shall—

''(A) make publicly available on a website of the General Services Administration or the Small Business Administration, as applicable, any solicitation under that covered military construction contract for a subcontract of an estimated value of $250,000 or more; and

''(B) submit written notification of the award of the covered military construction contract, and of any subcontract awarded under the covered military construction contract, to the relevant agency of a covered State that enforces workers' compensation or minimum wage laws in such covered State.

''(2) NOTICE.—Upon award of a covered military construction contract with an estimated value greater than or equal to $2,000,000, the Secretary concerned shall notify any applicable Member of Congress representing the covered State in which that covered military construction contract is to be performed of such award in a timely manner.

''(3) FEDERAL PROCUREMENT DATA SYSTEM.—The Secretary of Defense shall ensure that there is a clear and unique indication of any covered military construction contract with subcontracting work of an estimated value of $250,000 or more in the Federal Procurement Data System established pursuant to section 1122(a)(4) of title 41 (or any successor system).

''(b) USE OF LOCAL FIRMS AND INDIVIDUALS.—

''(1) IN GENERAL.—To the extent practicable, in awarding a covered military construction contract, the Secretary concerned shall give preference to those firms and individuals residing or doing business primarily in the same State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the contract.

''(2) JUSTIFICATION REQUIRED.—The Secretary concerned shall prepare a written justification, and make such justification available on the Internet site required under section 2851 of this title, for the award of any covered military construction contract to a firm or individual that is not described under paragraph (1).

''(c) LICENSING.—A contractor and any subcontractors performing a covered military construction contract shall be licensed to perform the work under such contract in the State in which the work will be performed.

''(d) MONTHLY REPORT.—Not later than 10 days after the end of each month, the Secretary of Defense shall submit to the congressional defense committees a report identifying for that month the following:

''(1) Each covered military construction contract and each subcontract of a covered military construction contract described in subsection (a)(1)(A) awarded during that month.

''(2) The location of the work to be performed pursuant to each covered military construction contract and subcontract identified pursuant to paragraph (1).

''(3) The prime contractor and any subcontractor performing each covered military construction contract and subcontract identified pursuant to paragraph (1).

''(4) The estimated value of each covered military construction contract and subcontract identified pursuant to paragraph (1).

''(e) EXCLUSION OF CLASSIFIED PROJECTS.—This section does not apply to a classified covered military construction project.

''(f) DEFINITIONS.—In this section:

''(1) COVERED MILITARY CONSTRUCTION CONTRACT.—The term 'covered military construction contract' means a contract for work on a military construction project, military family housing project, or Facilities Sustainment, Restoration, and Modernization (FSRM) project carried out in a covered State.

''(2) COVERED STATE.—The term 'covered State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States

Virgin Islands, or the Commonwealth of the Northern Mariana Islands.

''(3) MEMBER OF CONGRESS.—The term 'Member of Congress' has the meaning given the term in section 2106 of title 5.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after the item relating to section 2851 the following new item:

''2851a. Requirements relating to the award of covered military construction contracts.''.

(3) APPLICABILITY.—Section 2851a of title 10, United States Code, as added by paragraph (1), shall apply with respect to a covered military construction contract, as defined in such section, entered into on or after the date of the enactment of this Act.

(c) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection—

''(y) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—

''(1) CREDIT FOR MEETING SUBCONTRACTING GOALS.—If a prime contractor awards a subcontract (at any tier) to a small business concern that has its principal office located in the same State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the contract of the prime contractor, the value of the subcontract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A) during such period.

''(2) REPORT.—Along with the report required under subsection (h)(1), the head of each Federal agency shall submit to the Administrator, and make publicly available on the scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 933; 15 U.S.C. 644 note), an analysis of the number and dollar amount of subcontracts awarded pursuant to paragraph (1) for each fiscal year of the period described in such paragraph.''.

SEC. 842. AMENDMENTS TO SUBMISSIONS TO CONGRESS RELATING TO CERTAIN FOREIGN MILITARY SALES.

Section 887(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 22 U.S.C. 2761 note) is amended—

(1) by striking ''the Secretary shall'' each place it appears and inserting ''the Secretary, in consultation with the Secretary of State, shall'';

(2) in paragraph (1)—

(A) by striking ''December 31, 2021'' and inserting ''December 31, 2024''; and

(B) by striking ''with a value'' and all that follows through the ''subsection (a)''; and

(3) in paragraph (2), by striking ''December 31, 2021'' and inserting ''December 31, 2024''.

SEC. 843. REVISIONS TO REQUIREMENT TO USE FIRM FIXED-PRICE CONTRACTS FOR FOREIGN MILITARY SALES.

(a) IN GENERAL.—Section 830 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2762 note) is amended—

(1) in subsection (a), by inserting ''and subject to subsection (e)'' after ''enactment of this Act''; and

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

''(e) APPLICABILITY.—The regulations prescribed pursuant to subsection (a) shall not apply to a foreign military sale for which the foreign country that is the counterparty to such foreign military sale has requested a modification to the defense service or defense article that is the subject of such foreign military sale that would require significant development work.''; and

(3) in subsection (c), by adding at the end the following new sentence: ''The Secretary may not delegate the authority to exercise such a waiver below the level of the service acquisition executive (as defined in section 101(a)(10) of title 10, United States Code).''.

(b) IMPLEMENTATION.—The Secretary of Defense shall—

(1) not later than 120 days after the date of the enactment of this Act, issue guidance to carry out the amendments made by this section; and

(2) not later than February 1, 2021, revise the Department of Defense Supplement to the Federal Acquisition Regulation to carry out the amendments made by this section.

SEC. 844. SMALL BUSINESS INDUSTRIAL BASE RESILIENCY PROGRAM.

(a) ESTABLISHMENT.—The Assistant Secretary of Defense for Industrial Base Policy (established under section 902 of this Act) shall establish a program to be known as the ''Small Business Industrial Base Resiliency Program'' under which the Assistant Secretary shall enter into transactions to purchase or to make a commitment to purchase goods or services from small business concerns as described in subsection (b) to respond to the COVID–19 pandemic.

(b) USES OF TRANSACTIONS.—A transaction entered into pursuant to the authority under this section shall—

(1) support the monitoring and assessment of small business concerns that enter into such a transaction;

(2) address critical issues in the industrial base relating to urgent operational needs in response to the COVID–19 pandemic;

(3) support efforts to create, maintain, protect, expand, or restore the industrial base in response to the COVID–19 pandemic; and

(4) as applicable, address supply chain vulnerabilities related to the COVID–19 pandemic for small business concerns that enter into such a transaction.

(c) DURATION.—The term of a transaction entered into pursuant to the authority under this section shall be two years.

(d) LIABILITIES.—With respect to any transaction entered into pursuant to the authority under this section on or after the date of enactment of this Act, if such transaction imposes any contingent liability upon the United States, such liability shall be recorded as an obligation against amounts made available from the Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund under section 1003 in an amount equal to the maximum amount of the contingency at the time such transaction is entered into.

(e) REPORT.—Not later than March 1, 2021, the Assistant Secretary of Defense for Industrial Base Policy shall submit to the appropriate committees a report that includes the following:

(1) A description of any guidance or policy issued to carry out this section.

(2) A description of any relevant assessments prepared to address critical issues in the industrial base relating to urgent operational needs related to the COVID–19 pandemic.

(3) A description of any transaction entered into pursuant to the authority under this section, and the impact such transaction has had on the response of the Department of Defense to the COVID–19 pandemic.

(4) A prioritized list of gaps or vulnerabilities in the transactions of the industrial base in which small business concerns participate that are related the COVID–19 pandemic, including—

(A) a description of mitigation strategies necessary to address such gaps or vulnerabilities;

(B) the identification of the Secretary concerned or the head of the Defense Agency responsible for addressing such gaps or vulnerabilities; and

(C) a proposed timeline for action to address such gaps or vulnerabilities.

(5) Identification of each transaction designed to sustain specific essential technological and industrial capabilities and processes of the industrial base in which small business concerns participate that are related to the COVID–19 pandemic.

(6) Any other steps necessary to foster and safeguard the industrial base in which small business concerns participate due to the impact of the COVID–19 pandemic.

(f) FUNDING.—The Assistant Secretary of Defense for Industrial Base Policy shall use amounts authorized to be appropriated for Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund under section 1003 to carry out the requirements of this section.

(g) DEFINITIONS.—In this Act:

(1) APPROPRIATE COMMITTEES.—The term ''covered committees'' means—

(A) the Committees on Armed Services of the Senate and the House of Representatives; and

(B) the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

(2) COVID–19 PANDEMIC.—The term ''COVID–19 pandemic'' means the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(3) DEFENSE AGENCY.—The term ''Defense Agency'' has the meaning given in section 101 of title 10, United States Code.

(4) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given in section 101 of title 10, United States Code.

(5) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632)).

SEC. 845. REQUIREMENTS RELATING TO REPORTS AND LIMITATIONS ON THE AVAILABILITY OF FUNDS.

(a) LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE DEFENSE CIVILIAN TRAINING CORPS PROGRAM.—

(1) INITIAL PLAN AND SCHEDULE.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the plan and schedule to implement the Defense Civilian Training Corps program required under section 860(b)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not more than 25 percent of the funds specified in paragraph (3) may be obligated or expended until the date on which such plan and schedule has been submitted.

(2) EXPANSION PLAN AND SCHEDULE.—Beginning on January 1, 2021, if the Secretary of Defense has not submitted the expansion plan and schedule relating to the Defense Civilian Training Corps program required under section 860(b)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not more than 50 percent of the funds specified in paragraph (3) may be obligated or expended until the date on which such expansion plan and schedule has been submitted.

(3) FUNDS SPECIFIED.—The funds specified in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(A) The immediate office of the Secretary of Defense.

(B) The Office of the Under Secretary of Defense for Personnel and Readiness.

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

(D) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

(b) REPORT AND LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE EXTRAMURAL ACQUISITION INNOVATION AND RESEARCH ACTIVITIES.—

(1) REPORT.—Not later than October 1, 2020, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(A) on the establishment of the extramural acquisition innovation and research activities required under section 2361a of title 10, United States Code (as added by section 835(a)(1) of the

National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)); and

(B) that includes the name of the Director appointed under section 2361a(c) of such title (as added by section 835(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)).

(2) LIMITATION.—

(A) IN GENERAL.—Beginning on October 1, 2020, if the Under Secretary of Defense for Acquisition and Sustainment has not submitted the report required under paragraph (1), not more than 25 percent of the funds specified in subparagraph (B) may be obligated or expended until the date on which such report has been submitted.

(B) FUNDS SPECIFIED.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

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

(iii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

(c) REPORT AND LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE ELIMINATING THE GAPS AND VULNERABILITIES IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—

(1) REPORT.—Not later than October 1, 2020, the Secretary of Defense shall submit to the congressional defense committees the national security strategy for national technology and industrial base required by section 2501(a) of title 10, United States Code.

(2) LIMITATION.—

(A) IN GENERAL.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the report required under paragraph (1), not more than 25 percent of the funds specified in subparagraph (B) may be obligated or expended until the date on which such report has been submitted.

(B) FUNDS SPECIFIED.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

(ii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

SEC. 846. ASSESSMENT OF THE REQUIREMENTS PROCESSES OF THE MILITARY DEPARTMENTS.

(a) ASSESSMENT.—The Secretary of the military department concerned shall assess the requirements process of the military department and make recommendations to improve the agility and timeliness of such requirements process for acquisition programs of the military department.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2021, each Secretary of a military department shall submit to the congressional defense committees a report on the assessment conducted pursuant to subsection (a) and specific plans to update the requirements processes of the military department concerned based on such assessment.

(2) ELEMENTS.—Each report shall include an analysis of and recommended improvements for the following elements:

(A) If appropriate, information from the report required in section 800(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(B) The alignment of the requirements processes, acquisition system, and budget process of the military department concerned.

(C) The requirements process for each acquisition pathway of the adaptive acquisition framework (as described in Department of Defense Instruction 5000.02, ''Operation of the Adaptive Acquisition Framework''), including the time it takes to complete requirements development and approval process for each pathway.

(D) For each acquisition pathway described in subparagraph (C), the processes for and the extent to which detailed systems engineering and requirements trade-off analyses are done before the development of requirements begins for a specific acquisition program to ensure that risks are understood and accounted for and that both top-level and derived requirements (development as well as reliability and maintainability) are achievable within cost, schedule, and technology constraints.

(E) Organizational roles and responsibilities of individuals with responsibilities relating to the requirements process for the military department concerned, including the role, composition, and metrics used to assess the effectiveness of any requirements oversight council of the military department concerned.

(F) The composition and sufficiency of individuals who develop requirements for the military department concerned, including any acquisition workforce planning and personnel shortfalls and resources needed to address any such shortfalls.

(G) The ability of the requirements process to address the urgent needs of the military department concerned.

(H) The capacity to review changes in requirements for programs of record.

(I) The validation of decisions made from the requirements process and the alignment of each such decision to the national defense strategy required under section 113(g) of title 10, United States Code.

(J) The use of portfolio management in the requirements process to coordinate decisions and avoid any duplication of requirements across acquisition programs.

(K) The implementation of recommendations on the process from the Comptroller General of the United States by each military department.

(L) Identification and comparison of best practices in the private sector and the public sector for the requirements development and approval process.

(M) Other recommendations to improve the process of establishing requirements, including lessons learned from responding to the COVID–19 pandemic.

(N) Any additional matters that the Secretaries determine appropriate.

SEC. 847. REPORT ON TRANSFER AND CONSOLIDATION OF CERTAIN DEFENSE ACQUISITION STATUTES.

Not later than February 21, 2021, the Secretary of Defense shall submit to the congressional defense committees a report containing a comprehensive legislative proposal for the transfer and consolidation of statutes within the framework for part V of subtitle A of title 10, United States Code (as enacted by section 801 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232)), along with conforming amendments to law required by such transfer and consolidation. Such report shall include an assessment of the effect of such transfer and consolidation on related Department of Defense activities, guidance, and interagency coordination.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.—

(1) IN GENERAL.—Section 132a of title 10, United States Code is repealed.

(2) CONFORMING AMENDMENTS AND REPEALS.—

(A) Paragraph (2) of section 131(b) of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 4 of title 10, United States Code, is amended by striking the item relating to section 132a.

(C) Section 910 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1516) is repealed.

(3) EFFECTIVE DATE.—The amendments and repeals made by paragraphs (1) and (2) shall take effect 30 days after the date of the enactment of this Act.

(b) IMPLEMENTATION.—On the effective date of the amendments and repeals under subsection (a)—

(1) any duties and responsibilities that remain assigned to the Chief Management Officer of the Department of Defense shall be transferred to a single official selected by the Secretary of Defense, except that such official may not be an individual who served as the Chief Management Officer before such effective date;

(2) the personnel, functions, and assets of the Office of the Chief Management Officer shall be transferred to such other organizations and elements of the Department as the Secretary determines appropriate; and

(3) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Chief Management Officer of the Department of Defense shall be deemed to be a reference to the official selected by the Secretary under paragraph (1)).

(c) LEGISLATIVE PROPOSAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes a comprehensive legislative proposal for additional conforming amendments to law required by the amendments and repeals made by this section.

SEC. 902. ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.

(a) IN GENERAL.—

(1) ASSISTANT SECRETARIES OF DEFENSE.—Section 138 of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''13'' and inserting ''14''; and

(B) in subsection (b), by adding at the end the following new paragraph:

''(6) One of the Assistant Secretaries is the Assistant Secretary of Defense for Industrial Base Policy. In addition to any duties and powers prescribed under paragraph (1), the Assistant Secretary of Defense for Industrial Base Policy shall have the duties described in section 139c of this title.''.

(2) ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.—Chapter 4 of subtitle A of title 10, United States Code, is amended by inserting after section 139b the following new section:

''§ 139c. Assistant Secretary of Defense for Industrial Base Policy

''(a) IN GENERAL.—The Assistant Secretary of Defense for Industrial Base Policy shall report to the Under Secretary of Defense for Acquisition and Sustainment.

''(b) RESPONSIBILITIES.—The Assistant Secretary of Defense for Industrial Base Policy shall be the head of the Office of Defense Industrial Base Policy and shall serve as the principal advisor to the Under Secretary of Defense for Acquisition and Sustainment in the performance of the Under Secretary's duties relating to the following:

''(1) Providing input to strategy reviews on matters related to—

''(A) the defense industrial base; and

''(B) materials critical to national security (as defined in section 187(e)(1) of this title).

''(2) Establishing policies of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.

''(3) Providing recommendations on budget matters pertaining to the defense industrial base, the supply chain, and the development

and retention of skills necessary to support the defense industrial base.

''(4) Providing recommendations and acquisition policy guidance on defense supply chain management and supply chain vulnerability throughout the entire defense supply chain, from suppliers of raw materials to producers of major end items.

''(5) Establishing the national security objectives concerning the national technology and industrial base required under section 2501 of this title.

''(6) Executing the national defense program for analysis of the national technology and industrial base required under section 2503 of this title.

''(7) Performing the national technology and industrial base periodic defense capability assessments required under section 2505 of this title.

''(8) Establishing the technology and industrial base policy guidance required under section 2506 of this title.

''(9) Providing policy and oversight of matters related to materials critical to national security to ensure a secure supply of such materials to the Department of Defense.

''(10) Carrying out the activities of the Department of Defense relating to the Defense Production Act Committee established under section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171).

''(11) Consistent with section 2(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2062(b)), executing other applicable authorities provided under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), including authorities under titles I and III of such Act.

''(12) Establishing Department of Defense policies related to international defense technology security and export control issues.

''(13) Establishing policies related to industrial independent research and development programs under section 2372 of this title.

''(14) Coordinating with the Director of Small Business Programs on all matters related to industrial base policy of the Department of Defense.

''(15) Ensuring reliable sources of materials critical to national security, such as specialty metals, armor plate, and rare earth elements.

''(16) Establishing policies of the Department of Defense for continued reliable resource availability from secure sources for the defense industrial base of the United States.

''(17) Establishing policies related to a procurement technical assistance program funded under this chapter 142 of this title.

''(18) Such other duties as are assigned by the Under Secretary.

''(c) RULES OF CONSTRUCTION RELATING TO DEFENSE PRODUCTION ACT.—Nothing in this section shall be construed to modify the authorities or responsibilities of any officer or employee of the United States under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including those authorities and responsibilities specified in Department of Defense Directive 4400.01E (or any successor directive). In addition, nothing in subsection (b)(9) shall be construed to limit the authority or modify the policies of the Committee on Foreign Investment in the United States established under section 721(k) of such Act (50 U.S.C. 4565(k)).''.

(3) CLERICAL AMENDMENT.—The table of contents for chapter 4 of subtitle A of title 10, United States Code, is amended by inserting after the item relating to section 139b the following new item:

''139c. Assistant Secretary of Defense for Industrial Base Policy.''.

(b) CONTINUATION OF SERVICE.—The Deputy Assistant Secretary of Defense for Industrial Policy shall be the individual serving as the Assistant Secretary of Defense for Industrial Base Policy (as established under section 139c(a) of title 10, United States Code, as added by subsection (a)) until the President has appointed an individual to serve as Assistant Secretary of Defense for Industrial Base Policy pursuant to section 138 of title 10, United States Code.

(c) TRANSFER OF OFFICE OF INDUSTRIAL POLICY TO OFFICE OF DEFENSE INDUSTRIAL BASE POLICY.—

(1) TRANSFER OF FUNCTIONS.—Not later than 180 days after the date of the enactment of this Act, all functions that, immediately before such date of enactment, were functions of the Office of Industrial Policy of the Department of Defense shall be transferred to the Office of Defense Industrial Base Policy.

(2) TRANSFER OF ASSETS.—So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred under paragraph (1) shall be available to the Office of Defense Industrial Base Policy at such time or times as the President directs for use in connection with the functions transferred.

(3) TERMINATION.—The Office of Industrial Policy of the Department of Defense shall terminate on the earlier of—

(A) the effective date of the transfers under paragraph (1); or

(B) 180 days after the date of the enactment of this Act.

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 911. LIMITATION ON REDUCTION OF CIVILIAN WORKFORCE.

Section 129a(b) of title 10, United States Code, is amended by adding at the end the following: ''The Secretary may not reduce the civilian workforce programmed full-time equivalent levels unless the Secretary conducts an appropriate analysis of the impacts of such reductions on workload, military force structure, lethality, readiness, operational effectiveness, stress on the military force, and fully burdened costs.''

SEC. 912. CHIEF DIVERSITY OFFICERS.

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 146. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion. A person may not be appointed as Chief Diversity Officer within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of Defenserelated to diversity and inclusion;

''(2) exercises authority to direct the Secretaries of the military departments and the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) exercises authority, direction, and control over the Office of People Analytics, or any successor organization;

''(4) shall establish and maintain a Department of Defense strategic plan that publicly states a diversity definition, vision, and goals for the Department of Defense;

''(5) shall define a set of strategic metrics that are directly linked to key organizational priorities and goals, actionable, and actively used to implement the strategic plan;

''(6) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

''(7) shall establish and maintain a strategic plan for outreach to, and recruiting from, untapped locations and underrepresented demographic groups;

''(8) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of Defense; and

''(9) shall perform such additional duties and exercise such powers as the Secretary of Defense may prescribe.

''(c) PRECEDENCE IN THE DEPARTMENT OF DEFENSE.—(1) The Chief Diversity Officer shall report directly to the Secretary of Defense in the performance of duties under this section.

''(2) The Chief Diversity Officer takes precedence in the Department of Defense after the Chief Management Officer.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''146. Chief Diversity Officer.''.

(B) Section 136(b) of such title is amended by inserting ''the Chief Diversity Officer and'' after ''control of the Secretary of Defense,''.

(b) DEPARTMENT OF THE ARMY.—

(1) IN GENERAL.—Chapter 703 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7025. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Army, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of the Army related to diversity and inclusion;

''(2) exercises authority to direct the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

''(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of the Army; and

''(5) shall perform such additional duties and exercise such powers as the Secretary of the Army may prescribe.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7025. Chief Diversity Officer.''.

(B) Section 7014(b) of such title is amended by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 7014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(c) DEPARTMENT OF THE NAVY.—

(1) IN GENERAL.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8029. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Navy, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of the Navy related to diversity and inclusion;

''(2) exercises authority to direct the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

''(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of the Navy; and

''(5) shall perform such additional duties and exercise such powers as the Secretary of the Navy may prescribe.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

''8029. Chief Diversity Officer.''.

(B) Section 8014(b) of such title is amended by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 8014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(d) DEPARTMENT OF THE AIR FORCE.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9025. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Air Force, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of the Air Forcerelated to diversity and inclusion;

''(2) exercises authority to direct the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

''(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of the Air Force; and

''(5) shall perform such additional duties and exercise such powers as the Secretary of the Air Force may prescribe.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''9025. Chief Diversity Officer.''.

(B) Section 9014(b) of such title is amended by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 9014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(e) COAST GUARD.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following new section:

''§ 321. Chief Diversity Officer

''(a) ESTABLISHMENT.—(1) There is a Chief Diversity Officer of the Coast Guard, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Coast Guard related to diversity and inclusion;

''(2) exercises authority to direct the heads of all other elements of the Coast Guard with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

''(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Coast Guard; and

''(5) shall perform such additional duties and exercise such powers as the Commandant may prescribe.

''(c) PRECEDENCE.—The Chief Diversity Officer shall report directly to the Commandant in the performance of duties under this section.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''321. Chief Diversity Officer.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on February 1, 2021.

SEC. 913. ESTABLISHMENT OF DEPUTY ASSISTANT SECRETARIES FOR SUSTAINMENT.

(a) DEPARTMENT OF THE ARMY.—

(1) IN GENERAL.—Chapter 703 of title 10, United States Code, as amended by section 912(b) of this Act, is further amended by adding at the end the following new section:

''§ 7026. Deputy Assistant Secretary of the Army for Sustainment

''(a) APPOINTMENT.—There is a Deputy Assistant Secretary of the Army for Sustainment, who shall be appointed by the Secretary of the Army.

''(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of the Army for Sustainment shall have the following responsibilities with respect to major weapon systems acquired for the Department of the Army:

''(1) Reviewing and providing oversight of the sustainment baseline cost estimates required by section 2366d of this title.

''(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

''(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

''(A) to inform and update life-cycle sustainment plans;

''(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

''(C) to inform the Secretary of the Army when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

''(4) Making recommendations to the senior acquisition executive of the Army regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

''(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots and shipyards, and contracted product support arrangements.

''(6) Advise the Secretary of the Army regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

''(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system' , and 'sustainment baseline cost estimate' have the meanings given in section 2366d of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 703 of title 10, United States Code, is amended by adding at the end the following new item:

''7026. Deputy Assistant Secretary of the Army for Sustainment.''.

(b) DEPARTMENT OF THE NAVY.—

(1) IN GENERAL.—Chapter 803 of title 10, United States Code, as amended by section 912(c) of this Act, is further amended by adding at the end the following new section:

''§ 8029a. Deputy Assistant Secretary of the Navy for Sustainment

''(a) APPOINTMENT.—There is a Deputy Assistant Secretary of the Navy for Sustainment, who shall be appointed by the Secretary of the Navy.

''(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of the Navy for Sustainment shall have the following responsibilities with respect to major weapon systems acquired for the Department of the Navy:

''(1) Reviewing and providing oversight of the sustainment baseline cost estimates required by section 2366d of this title.

''(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

''(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

''(A) to inform and update life-cycle sustainment plans;

''(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

''(C) to inform the Secretary of the Navy when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

''(4) Making recommendations to the senior acquisition executive of the Navy regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

''(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots and shipyards, and contracted product support arrangements.

''(6) Advise the Secretary of the Navy regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

''(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system' , and 'sustainment baseline cost estimate' have the meanings given in section 2366d of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

''8029a. Deputy Assistant Secretary of the Navy for Sustainment.''.

(c) DEPARTMENT OF THE AIR FORCE.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, as amended by section 912(d) of this Act, is further amended by adding at the end the following new section:

''§ 9026. Deputy Assistant Secretary of the Air Force for Sustainment

''(a) APPOINTMENT.—There is a Deputy Assistant Secretary of the Air Force for Sustainment,

who shall be appointed by the Secretary of the Air Force.

''(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of the Air Force for Sustainment shall have the following responsibilities with respect to major weapon systems acquired for the Department of the Air Force:

''(1) Reviewing and providing oversight of the sustainment baseline cost estimates required by section 2366d of this title.

''(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

''(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

''(A) to inform and update life-cycle sustainment plans;

''(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

''(C) to inform the Secretary of the Air Force when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

''(4) Making recommendations to the senior acquisition executive of the Air Force regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

''(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots and shipyards, and contracted product support arrangements.

''(6) Advise the Secretary of the Air Force regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

''(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system', and 'sustainment baseline cost estimate' have the meanings given in section 2366d of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 903 of title 10, United States Code, is amended by adding at the end the following new item:

''9026. Deputy Assistant Secretary of the Air Force for Sustainment.''.

SEC. 914. OFFICE OF DEFENSE COMMUNITY COOPERATION AND ECONOMIC ADJUSTMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by inserting after section 2391 the following new section:

''§ 2391a. Office of Defense Community Cooperation and Economic Adjustment

''(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an Office of Defense Community Cooperation and Economic Adjustment (in this section referred to as the 'Office').

''(b) HEAD OF OFFICE.—There is a Director of the Office who shall be the head of the Office. The Director shall be appointed by the Secretary of Defense.

''(c) DUTIES.—The Office shall—

''(1) serve as the office in the Department of Defense with primary responsibility for—

''(A) providing assistance to States, counties, municipalities, regions, and other communities to foster cooperation with military installations 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) providing adjustment and diversification assistance to State and local governments under section 2391(b) to achieve the objectives described in subparagraph (A);

''(2) coordinate the provision of such assistance with other organizations and elements of the Department;

''(3) provide support to the Economic Adjustment Committee established under Executive Order 12788 (57 Fed. Reg. 2213; 10 U.S.C. 2391 note) or any successor to such Committee; and

''(4) carry out such other activities as the Secretary of Defense determines appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2391 the following new item:

''2391a. Office of Defense Community Cooperation and Economic Adjustment.''.

(b) TRANSFERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall transfer the functions, personnel, and assets of the Office of Economic Adjustment of the Department of Defense to the Office of Defense Community Cooperation and Economic Adjustment established under section 2391a of title 10, United States Code (as added by subsection (a)).

(c) ADMINISTRATION OF CERTAIN PROGRAMS.—Beginning on the effective date of the transfers under subsection (b), any program, project, or other activity administered by the Office of Economic Adjustment of the Department of Defense as of the date of the enactment of this Act shall be administered by the Office of Defense Community Cooperation and Economic Adjustment established under section 2391a of title 10, United States Code (as added by subsection (a)).

SEC. 915. INPUT FROM CHIEF OF NATIONAL GUARD BUREAU TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) INPUT FROM CHIEF OF NATIONAL GUARD BUREAU.—The Council shall seek, and strongly consider, the views of the Chief of National Guard Bureau regarding non-Federalized National Guard capabilities in support of homeland defense and civil support missions.''.

SEC. 916. REDESIGNATION OF THE JOINT FORCES STAFF COLLEGE.

(a) IN GENERAL.—Title 10, United States Code, is amended by striking ''Joint Forces Staff College'' each place it appears and inserting ''Joint Forces War College''.

(b) REFERENCES.—Any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Joint Forces Staff College shall be deemed to be a reference to the Joint Forces War College.

Subtitle C—Space Matters

SEC. 921. ASSISTANT SECRETARY OF DEFENSE FOR SPACE AND STRATEGIC DETERRENCE POLICY.

(a) ASSISTANT SECRETARIES OF DEFENSE.—Paragraph (5) of section 138(b) of title 10, United States Code, is amended to read as follows:

''(5) One of the Assistant Secretaries is the Assistant Secretary of Defense for Space and Strategic Deterrence Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy of the Department of Defense for space, nuclear deterrence, and missile defense.''.

(b) SPACE FORCE ACQUISITION COUNCIL.—Section 9021(b)(3) of title 10, United States Code, is amended by striking ''Assistant Secretary of Defense for Space Policy'' and inserting ''Assistant Secretary of Defense for Space and Strategic Deterrence Policy''.

(c) ELEMENTS OF OFFICE.—Section 955(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1565) is amended by striking ''Assistant Secretary of Defense for Space Policy'' and inserting ''Assistant Secretary of Defense for Space and Strategic Deterrence Policy''.

SEC. 922. OFFICE OF THE CHIEF OF SPACE OPERATIONS.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by striking section 9083 and inserting the following new sections:

''§ 9083. Office of the Chief of Space Operations: function; composition

''(a) FUNCTION.—There is in the executive part of the Department of the Air Force an Office of the Chief of Space Operations to assist the Secretary of the Air Force in carrying out the responsibilities of the Secretary.

''(b) COMPOSITION.—The Office of the Chief of Space Operations is composed of the following:

''(1) The Chief of Space Operations.

''(2) Other members of the Space Force and Air Force assigned or detailed to the Office of the Chief of Space Operations.

''(3) Civilian employees in the Department of the Air Force assigned or detailed to the Office of the Chief of Space Operations.

''(c) ORGANIZATION.—Except as otherwise specifically prescribed by law, the Office of the Chief of Space Operations shall be organized in such manner, and the members of the Office of the Chief of Space Operations shall perform such duties and have such titles, as the Secretary of the Air Force may prescribe.

''§ 9084. Office of the Chief of Space Operations: general duties

''(a) PROFESSIONAL ASSISTANCE.—The Office of the Chief of Space Operations shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Air Force and to the Chief of Space Operations.

''(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the Air Force, the Office of the Chief of Space Operations shall—

''(1) subject to subsections (c) and (d) of section 9014 of this title, prepare for such employment of the Space Force, and for such recruiting, organizing, supplying, equipping (including research and development), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Force, as will assist in the execution of any power, duty, or function of the Secretary of the Air Force or the Chief of Space Operations;

''(2) investigate and report upon the efficiency of the Space Force and its preparation to support military operations by commanders of the combatant commands;

''(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

''(4) as directed by the Secretary of the Air Force or the Chief of Space Operations, coordinate the action of organizations of the Space Force; and

''(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary of the Air Force.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 908 of such title is amended by striking the item related to section 9083 and adding at the end the following new items:

''9083. Office of the Chief of Space Operations: function; composition

''9084. Office of the Chief of Space Operations: general duties''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date on which the Secretary of the Air Force and the Chief of Space Operations jointly submit to the congressional defense committees a report detailing the functions that the headquarters staff of the Department of the Air Force will continue to perform in support of the Space Force.

(d) NO AUTHORIZATION OF ADDITIONAL MILITARY BILLETS.—The Secretary shall establish the Office of the Chief of Space Operations under section 9083 of title 10, United States Code, as added by subsection (a), using military personnel otherwise authorized. Nothing in this section or the amendments made by this section shall be construed to authorize additional military billets for the purposes of, or in connection with, the establishment of the Office of the Chief of Space Operations.

SEC. 923. SPACE FORCE MEDAL.

(a) SPACE FORCE MEDAL.—Chapter 937 of title 10, United States Code, is amended by inserting after section 9280 the following new section:

''§ 9280a. Space Force Medal: award; limitations

''(a) The President may award a decoration called the 'Space Force Medal', of appropriate design with accompanying ribbon, to any person who, while serving in any capacity with the Space Force, distinguishes himself or herself by heroism not involving actual conflict with an enemy.

''(b) Not more than one Space Force Medal may be awarded to a person. However, for each succeeding act that would otherwise justify award of such a medal, the President may award a suitable bar or other device to be worn as the President directs.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9280 the following new item:

''9280a. Space Force Medal: award; limitations.''.

SEC. 924. CLARIFICATION OF PROCUREMENT OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 963 of title 10, United States Code, is amended by inserting before section 9532 the following new section:

''§ 9531. Procurement of commercial satellite communications services

''The Chief of Space Operations shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 963 of such title is amended by inserting before the item relating to section 9532 the following new item:

''9531. Procurement of commercial satellite communications services.''.

SEC. 925. TEMPORARY EXEMPTION FROM AUTHORIZED DAILY AVERAGE OF MEMBERS IN PAY GRADES E–8 AND E–9.

Section 517 of title 10, United States Code, shall not apply to the Space Force until October 1, 2023.

SEC. 926. ONE-TIME UNIFORM ALLOWANCE FOR MEMBERS TRANSFERRED TO THE SPACE FORCE.

(a) IN GENERAL.—The Secretary of the Air Force may provide an officer or enlisted member who transfers from the Army, Navy, Air Force, or Marine Corps to the Space Force an allowance of not more than $400 as reimbursement for the purchase of required uniforms and equipment.

(b) RELATIONSHIP TO OTHER ALLOWANCES.—The allowance under this section is in addition to any allowance available under any other provision of law.

(c) SOURCE OF FUNDS.—Funds for allowances provided under subsection (a) in a fiscal year may be derived only from amounts authorized to be appropriated for military personnel for such fiscal year.

(d) APPLICABILITY.—The authority for an allowance under this section shall apply with respect to any member of the Army, Navy, Air Force, or Marine Corps who transfers to the Space Force on or after December 20, 2019, and on or before September 30, 2023.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2021 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

(e) CERTIFICATION REQUIREMENT.—The authority to transfer any authorization under this section may not be used until the Secretary of Defense and the head of each entity affected by such transfer submits to the congressional defense committees certification in writing that—

(1) the amount transferred will be used for higher priority items, based on unforeseen military requirements, than the items from which authority is transferred; and

(2) the amount transferred will not be used for any item for which funds have been denied authorization by Congress.

SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 1003. PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND.

(a) FUND PURPOSES.—Amounts authorized to be appropriated for Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund shall be available for obligation and expenditure only for the purposes of pandemic preparedness. Such amounts may not be used for a purpose or program unless the purpose or program is authorized by law.

(b) TRANSFERS.—

(1) IN GENERAL.—Amounts referred to in subsection (a) may be transferred as follows:

(A) To Procurement, Defense-wide and Research, Development, Test, and Evaluation, Defense-wide, not more than an aggregate of $200,000,000 to carry out the Small Business Industrial Base Resilience Program established by section 844 of this Act.

(B) To Research, Development, Test, and Evaluation, Defense-wide, line 9, Biomedical Technology, not more than $50,000,000 for research that aims to rapidly produce medical countermeasures against novel threats, at population scale and approved for use in people.

(C) To the following, not more than an aggregate of $750,000,000 to support research and development efforts directly related to biopreparedness and pandemic preparedness and resilience:

(i) Research, Development, Test, and Evaluation, Army.

(ii) Research, Development, Test, and Evaluation, Navy.

(iii) Research, Development, Test, and Evaluation, Air Force.

(iv) Research, Development, Test, and Evaluation, Defense-wide.

(v) Defense Health Program.

(D) To Research, development, test, and evaluation, Defense-wide, Line 16, Chemical and Biological Defense Program, not more than $27,000,000 for research and development to detect and model treatments for nuclear, chemical, and biological exposure.

(E) To research, development, test, and evaluation, Defense-wide, line 44, Chemical and Biological Defense Program – Advanced Development, not more than $30,000,000 for the development of decontamination technologies for civilian pandemic preparedness.

(F) To research, development, test, and evaluation, Defense-wide, line 49, Manufacturing Science and Technology Program, not more than $35,000,000 for support for the development of advanced manufacturing techniques and technologies that enable the United States defense industrial base to rapidly produce needed materials for novel biological threats.

(2) LIMITATION.—Amounts referred to in subsection (a) may not be transferred for—

(A) Drug Interdiction and Counter-Drug Activities; or

(B) military construction (as defined in section 2801(a) of title 10, United States Code), including the purposes described in section 2802(b) of such title, or military family housing, including the purposes described in section 2821(a) of such title.

(3) NOTICE REQUIREMENT.—Not later than 30 days before transferring any amount described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees notice of the transfer.

(4) EXCEPTION FROM GENERAL TRANSFER AUTHORITY.—A transfer under this subsection shall not be counted toward the dollar amount limitation under section 1001.

SEC. 1004. BUDGET MATERIALS FOR SPECIAL OPERATIONS FORCES.

Section 226 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''of Defense and the Secretary of each of the military departments'' after ''Secretary'';

(B) by striking ''2021'' and inserting ''2022'';

(C) by striking ''a consolidated budget justification display'' and inserting ''a budget justification display for each applicable appropriation'';

(D) in the second sentence, by striking ''display'' and all that follows and inserting ''displays shall include each of the following:'' and

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

''(1) Details at the appropriation and line item level, including any amount for service-common support, acquisition support, training, operations, pay and allowances, base operations sustainment, and any other common services and support.

''(2) An identification of any change in the level or type of service-common support and enabling capabilities provided by each of the military services or Defense Agencies to special operations forces for the fiscal year covered by the budget justification display when compared to the preceding fiscal year, including the rationale for any such change and any mitigating actions.

''(3) An assessment of the specific effects that the budget justification display for the fiscal year covered by the display and any anticipated future manpower and force structure changes are likely to have on the ability of each of the military services to provide service-common support and enabling capabilities to special operations forces.

''(4) Any other matters the Secretary of Defense or the Secretary of a military department determines are relevant.'';

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

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

''(b) CONSOLIDATED BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall include, in the budget materials submitted to Congress under section 1105 of title 31, for fiscal year 2022 and any subsequent fiscal year, a consolidated budget justification display containing the same information as is required in the budget justification displays required under subsection (a). Such consolidated budget justification display may be provided as a summary by appropriation for each military department and a summary by appropriation for all Defense Agencies.''.

Subtitle B—Counterdrug Activities

SEC. 1011. SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME AFFECTING FLOW OF DRUGS INTO THE UNITED STATES.

Section 284(c) of title 10, United States Code, is amended—

(1) by striking paragraph (2), and inserting the following new paragraph (2):

''(2) SECRETARY OF STATE CONCURRENCE.—The Secretary may only provide support for a purpose described in this subsection with the concurrence of the Secretary of State.''; and

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

''(3) PRIORITY.—In providing support for a purpose described in this subsection, the Secretary shall give priority to support requested for the purpose of affecting the flow of drugs into the United States.''.

SEC. 1012. CONGRESSIONAL NOTIFICATION WITH RESPECT TO DEPARTMENT OF DEFENSE SUPPORT PROVIDED TO OTHER UNITED STATES AGENCIES FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.

Section 284(h) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) In case of support for a purpose described in subsection (b)—

''(i) an identification of the recipient of the support;

''(ii) a description of the support provided;

''(iii) a description of the sources and amounts of funds used to provide such support; and

''(iv) a description of the amount of funds obligated to provide such support.''; and

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

''(3) APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of any notice submitted under this subsection with respect to support described in paragraph (1)(A), the appropriate committees of Congress are—

''(A) the Committees on Armed Services of the Senate and House of Representatives; and

''(B) any committee with jurisdiction over the department or agency that receives the support covered by the notice.''.

Subtitle C—Naval Vessels

SEC. 1021. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS WITHOUT NAVAL VESSELS PLAN AND CERTIFICATION.

Section 231(e) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''Secretary of the Navy'' and inserting ''Secretary of Defense''; and

(B) by striking ''50 percent'' and inserting ''25 percent''; and

(2) in paragraph (2)—

(A) by striking ''Secretary of the Navy'' and inserting ''Secretary of Defense''; and

(B) by striking ''operation and maintenance, Navy'' and inserting ''operation and maintenance, Defense-wide''.

SEC. 1022. LIMITATIONS ON USE OF FUNDS IN THE NATIONAL DEFENSE SEALIFT FUND FOR PURCHASE OF FOREIGN CONSTRUCTED VESSELS.

Section 2218(f)(3) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking ''seven'' and inserting ''nine''; and

(2) in subparagraph (E), by striking ''two'' and inserting ''four''.

SEC. 1023. USE OF NATIONAL SEA-BASED DETERRENCE FUND FOR INCREMENTALLY FUNDED CONTRACTS TO PROVIDE FULL FUNDING FOR COLUMBIA CLASS SUBMARINES.

Section 2218a(h)(1) of title 10, United States Code, is amended by striking ''and properly phased installment payments'' and inserting '', properly phased installment payments, and full funding for the first two Columbia class submarines''.

SEC. 1024. PREFERENCE FOR UNITED STATES VESSELS IN TRANSPORTING SUPPLIES BY SEA.

(a) PREFERENCE FOR UNITED STATES VESSELS IN TRANSPORTING SUPPLIES BY SEA.—

(1) IN GENERAL.—Section 2631 of title 10, United States Code, is amended to read as follows:

''§ 2631. Preference for United States vessels in transporting supplies by sea

''(a) IN GENERAL.—Supplies bought for the Army, Navy, Air Force, or Marine Corps, or for a Defense Agency, or otherwise transported by the Department of Defense, may only be transported by sea in—

''(1) a vessel belonging to the United States; or

''(2) a vessel of the United States (as such term is defined in section 116 of title 46).

''(b) WAIVER AND NOTIFICATION.—(1) The Secretary of Defense may waive the requirement under subsection (a) if such a vessel is—

''(A) not available at a fair and reasonable rate for commercial vessels of the United States; or

''(B) otherwise not available.

''(2) At least once each fiscal year, the Secretary of Defense shall submit, in writing, to the appropriate congressional committees a notice of any waiver granted under this subsection and the reasons for such waiver.

''(c) REQUIREMENTS FOR REFLAGGING OR REPAIR WORK.—(1) In each request for proposals to enter into a time-charter contract for the use of a vessel for the transportation of supplies under this section, the Secretary of Defense shall require that—

''(A) any reflagging or repair work on a vessel for which a proposal is submitted in response to the request for proposals be performed in the United States (including any territory of the United States); and

''(B) any corrective and preventive maintenance or repair work on a vessel under contract pursuant to this section relevant to the purpose of such contract be performed in the United States (including any territory of the United States) for the duration of the contract, to the greatest extent practicable.

''(2) The Secretary of Defense may waive a requirement under paragraph (1) if the Secretary determines that such waiver is critical to the national security of the United States. The Secretary shall immediately submit, in writing, to the appropriate congressional committees a notice of any waiver granted under this paragraph and the reasons for such waiver.

''(3) In this subsection:

''(A) The term 'reflagging or repair work' means work performed on a vessel—

''(i) to enable the vessel to meet applicable standards to become a vessel of the United States; or

''(ii) to convert the vessel to a more useful military configuration.

''(B) The term 'corrective and preventive maintenance or repair' means—

''(i) maintenance or repair actions performed as a result of a failure in order to return or restore equipment to acceptable performance levels; and

''(ii) scheduled maintenance or repair actions to prevent or discover functional failures.

''(d) COMPLIANCE.—The Secretary of Defense shall ensure that contracting officers of the Department of Defense award contracts under this section to responsible offerors and monitor and ensure compliance with the requirements of this section. The Secretary shall—

''(1) ensure that timely, accurate, and complete information on contractor performance under this section is included in any contractor past performance database used by an executive agency; and

''(2) exercise appropriate contractual rights and remedies against contractors who fail to comply with this section, or subchapter I of chapter 553 of title 46 as determined by the Secretary of Transportation under such subchapter, including by—

''(A) determining that a contractor is ineligible for an award of such a contract; or

''(B) terminating such a contract or suspension or debarment of the contractor for such contract.

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

''(1) the Committees on Armed Services of the Senate and the House of Representatives;

''(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(3) the Committee on Commerce, Science, and Transportation of the Senate.''.

(2) CLERICAL AMENDMENT.—The table of contents for chapter 157 of title 10, United States Code, is amended by amending the item relating to section 2361 to read as follows:

''2361. Preference for United States vessels in transporting supplies by sea.''.

(b) AMENDMENTS TO TITLE 46, UNITED STATES CODE.—

(1) TRANSFER OF PROVISION RELATING TO PRIORITY LOADING FOR COAL.—

(A) IN GENERAL.—Section 55301 of title 46, United States Code, is redesignated as section 55123 of such title, transferred to appear after section 55122 of such title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in such title.

(B) CONFORMING AMENDMENTS.—

(i) The analysis for subchapter I of chapter 553 of title 46, United States Code, is amended by striking the item relating to section 55301.

(ii) The analysis for chapter 551 of title 46, United States Code, is amended by inserting after the item relating to section 55122 the following new item:

''55123. Priority loading for coal.''.

(2) AMENDMENT TO SUBCHAPTER HEADING.—The heading of subchapter I of chapter 553 of title 46, United States Code, is amended to read as follows:

''SUBCHAPTER I—GOVERNMENT IMPELLED TRANSPORTATION''.

SEC. 1025. RESTRICTIONS ON OVERHAUL, REPAIR, ETC. OF NAVAL VESSELS IN FOREIGN SHIPYARDS.

(a) EXCEPTION FOR DAMAGE REPAIR DUE TO HOSTILE ACTIONS OR INTERVENTIONS.—Section 8680(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking '', other than in the case of voyage repairs''; and

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

''(3) Notwithstanding paragraph (1), a naval vessel described in paragraph (1) may be repaired in a shipyard outside the United States or Guam if the repairs are—

''(A) voyage repairs; or

''(B) necessary to correct damage sustained due to hostile actions or interventions.''.

(b) LIMITED AUTHORITY TO USE FOREIGN WORKERS.—Section 8680(a)(2)(B)(i) of title 10, United States Code, is amended—

(1) by inserting ''(I)'' after ''(i)''; and

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

''(II) Notwithstanding subclause (I), foreign workers may be used to perform corrective and preventive maintenance or repair on a vessel as described in subparagraph (A) only if the Secretary of the Navy determines that travel by United States Government personnel or United States contractor personnel to perform the corrective or preventive maintenance or repair is not advisable for health or safety reasons. The Secretary of the Navy may not delegate the authority to make a determination under this subclause.

''(III) Not later than 30 days after making a determination under subclause (II), the Secretary of the Navy shall submit to the congressional defense committees written notification of the determination. The notification shall include the reasons why travel by United States personnel is not advisable for health or safety reasons, the location where the corrective and preventive maintenance or repair will be performed, and the approximate duration of the corrective and preventive maintenance or repair.''.

(c) TECHNICAL CORRECTION.—Section 8680(a)(2)(C)(ii) of title 10, United States Code, is amended by striking the period after ''means—''.

SEC. 1026. BIANNUAL REPORT ON SHIPBUILDER TRAINING AND THE DEFENSE INDUSTRIAL BASE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8692. Biannual report on shipbuilder training and the defense industrial base

'' Not later than February 1 of each even-numbered year until 2026, the Secretary of Defense, in coordination with the Secretary of Labor, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and Labor of the House of Representatives a report on shipbuilder training and hiring requirements necessary to achieve the Navy's 30-year shipbuilding plan and to maintain the shipbuilding readiness of the defense industrial base. Each such report shall include each of the following:

''(1) An analysis and estimate of the time and investment required for new shipbuilders to gain proficiency in particular shipbuilding occupational specialties, including detailed information about the occupational specialty requirements necessary for construction of naval surface ship and submarine classes to be included in the Navy's 30-year shipbuilding plan.

''(2) An analysis of the age demographics and occupational experience level (measured in years of experience) of the shipbuilding defense industrial workforce.

''(3) An analysis of the potential time and investment challenges associated with developing and retaining shipbuilding skills in organizations that lack intermediate levels of shipbuilding experience.

''(4) Recommendations concerning how to address shipbuilder training during periods of demographic transition and evolving naval fleet architecture consistent with the Navy's 2020 Integrated Force Structure Assessment.

''(5) An analysis of whether emerging technologies, such as augmented reality, may aid in new shipbuilder training.

''(6) Recommendations concerning how to encourage young adults to enter the defense shipbuilding industry and to develop the skills necessary to support the shipbuilding defense industrial base.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8692. Biannual report on shipbuilder training and the defense industrial base.''.

SEC. 1027. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF CERTAIN LITTORAL COMBAT SHIPS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy may be obligated or expended to retire or prepare for the retirement, transfer, or placement in storage any ships designated as LCS-3 or LCS-4 until the date on which the Secretary of the Navy submits the certification required under subsection (b).

(b) CERTIFICATION.—Upon the completion of all operational tests on each of the mission modules designed for the Littoral Combat Ship, the Secretary of the Navy shall submit to the congressional defense committees certification of such completion.

SEC. 1028. REPORT ON IMPLEMENTATION OF COMMANDANT'S PLANNING GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the Commandant's Planning Guidance. Such report shall include a detailed description of each of the following:

(1) The specific number and type of manned littoral ships required to execute such Guidance.

(2) The role of long-range unmanned surface vessels in the execution of such Guidance.

(3) How platforms referred to in paragraphs (1) and (2) account for and interact with ground-based missiles fielded by teams of Marines deployed throughout the Indo-Pacific region.

(4) The integrated naval command and control architecture required to support the platforms referred to in paragraphs (1) and (2);

(5) The projected cost and any additional resources required to deliver the platforms referred to in paragraph (1) and (2) by not later than five years after the date of the enactment of this Act.

(b) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex. The unclassified report shall be made publicly available.

SEC. 1029. LIMITATION ON NAVAL FORCE STRUCTURE CHANGES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy may be obligated or expended to retire, or to prepare for the retirement, transfer, or placement in storage of, any Department of the Navy ship until the date that is 30 days after the date on which Secretary of Defense submits to the congressional defense committees the 2020 Naval Integrated Force Structure Assessment.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2021, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e of title 10, United States Code, is amended—

(1) by striking subsection (c) and inserting the following new subsection (c):

''(c) PROCEDURES.—

''(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section. The Secretary shall notify the congressional defense committees of any material change to such procedures.

''(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, each of the following:

''(A) Policy, strategy, or other guidance for the execution of, and constraints within, activities conducted under this section.

''(B) The processes through which activities conducted under this section are to be developed, validated, and coordinated, as appropriate, with relevant Federal entities.

''(C) The processes through which legal reviews and determinations are made to comply with this section and ensure that the exercise of authority under this section is consistent with the national security of the United States.

''(3) NOTICE TO CONGRESS.—The Secretary shall provide to the congressional defense committees a notice of the procedures established pursuant to this section before any exercise of the authority in this section, and shall notify such committees of any material change of the procedures.'';

(2) in subsection (d)—

(A) in the subsection heading, by inserting ''OF INITIATION OF SUPPORT OF AN APPROVED MILITARY OPERATION'' after ''NOTIFICATION''; and

(B) in paragraph (1), by striking ''15'' and inserting ''30'';

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

(4) by inserting after subsection (d) the following new subsection (e):

''(e) NOTIFICATION OF MODIFICATION OR TERMINATION OF SUPPORT OF AN APPROVED MILITARY OPERATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall provide to the congressional defense committees notice in writing by not later that—

''(A) 15 days before exercising the authority under this section to modify the support of an approved military operation;

''(B) 30 days before exercising the authority under this section to terminate the support of an approved military operation; or

''(C) as applicable, 30 days before exercising any other authority under which the Secretary engages or plans to engage with foreign forces, irregular forces, groups, or individuals.

''(2) EXTRAORDINARY CIRCUMSTANCES.—If the Secretary finds the existence of extraordinary circumstances affecting the national security of the United States, the Secretary shall provide the notice required under paragraph (1) not later than 48 hours before exercising authority referred to in subparagraph (A) or (B) of such paragraph.

''(3) ELEMENTS.—Notice provided under paragraph (1) with respect to the modification or termination of support shall includes each of the following elements:

''(A) A description of the reasons for the modification or termination.

''(B) A description of the potential effects of the modification or termination of support on the forces providing the support.

''(C) A plan for the modification or termination of the support, including the consideration of the transition of such support from one fiscal authority to another.

''(D) A list of any relevant entities of the United States Government that are or will be involved in the modification or termination of such support, including any planned transition of such support from one Government entity to another.'';

(5) in subsection (i)(3), as redesignated by paragraph (3)—

(A) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively; and

(B) by inserting after subparagraph (F) the following new subparagraph (G):

''(G) If there is a plan to modify or terminate the support to military operations to combat terrorism in any way, a detailed description of the plan, including—

''(i) a description of the reasons for the modification or termination;

''(ii) the potential effects of the modification or termination of support on the forces providing the support;

''(iii) a detailed plan for the modification or termination of the support; and

''(iv) a list of any relevant Government entities that are or will be involved in the modification or termination of such support, including any planned transition of such support from one Government entity to another.''; and

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

''(j) MODIFICATION DEFINED.—In this section, the term 'modification', with respect to support provided for an approved military operation, means—

''(1) an increase or decrease in funding of more than $750,000 or change greater than 40 percent of the material resources provided;

''(2) an increase or decrease in the amount or type of equipment that significantly alters the use of or risk to foreign forces, irregular forces, groups, or United States special operations forces; or

''(3) a change in the legal or operational authorities.''.

SEC. 1042. PROHIBITION ON RETIREMENT OF NUCLEAR POWERED AIRCRAFT CARRIERS BEFORE FIRST REFUELING.

Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) A nuclear powered aircraft carrier may not be retired before its first refueling.''.

SEC. 1043. REQUIRED MINIMUM INVENTORY OF TACTICAL AIRLIFT AIRCRAFT.

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

''(k) The Secretary of the Air Force shall maintain a total inventory of tactical airlift aircraft of not less than 292 aircraft.''.

SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION TO DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE ALONG THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) AUTHORITY.—Subsection (a) of section 1059 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271 note prec.) is amended to read as follows:

''(a) AUTHORITY.—

''(1) PROVISION OF ASSISTANCE.—

''(A) IN GENERAL.—The Secretary of Defense may provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States in accordance with the requirements of this section.

''(B) REQUIREMENTS.—If the Secretary provides assistance under subparagraph (A), the Secretary shall ensure that—

''(i) the provision of the assistance will not negatively affect military training, operations, readiness, or other military requirements; and

''(ii) the tasks associated with the support provided align with the mission or occupational specialty of any members of the Armed Forces, including members of the reserve components, or units of the Armed Forces, including the reserve components, that are deployed.

''(2) NOTIFICATION REQUIREMENT.—Not later than 5 days after the date on which the Secretary decides to provide assistance under paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives notice of such decision.''.

(b) REPORTING REQUIREMENTS.—Subsection (f) of such section is amended to read as follows:

''(f) REPORTS.—

''(1) REPORT REQUIRED.—Any time assistance is provided under subsection (a), not later than 30 days after the date on which such assistance is first provided, and every three months thereafter during the period while such assistance is provided, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives a report that includes, for both the period covered by the report and the total period of the deployment, each of the following:

''(A) A description of the assistance provided.

''(B) A description of the Armed Forces, including the reserve components, deployed as part of such assistance, including an identification of—

''(i) the members of the Armed Forces, including members of the reserve components, deployed, including specific information about unit designation, size of unit, and whether any personnel in the unit deployed under section 12302 of title 10, United States Code;

''(ii) the readiness rating for each of the units deployed, including specific information about any impacts to planned training exercises for any such unit;

''(iii) the projected length of the deployment and any special pay and incentives for which deployed personnel may qualify during the deployment;

''(iv) any specific pre-deployment training provided for such members of the Armed Forces, including members of the reserve components;

''(v) the specific missions and tasks, by location, that are assigned to the members of the Armed Forces, including members of the reserve components, who are so deployed;

''(vi) the life support conditions and associated costs;

''(vii) the locations where units so deployed are conducting their assigned mission, together with a map showing such locations;

''(viii) a description of the rules and additional guidance applicable to the deployment, including the standing rules for the use of force for deployed personnel and the issuance of any weapons and ammunition; and

''(ix) the plan to transition the functions performed by the members of the Armed Forces, including members of the reserve components, to the Department of Homeland Security and Customs Border Protection.

''(C) The sources and amounts of funds expended—

''(i) during the period covered by the report; and

''(ii) during the total period for which such support has been provided.

''(D) The amount of funds obligated—

''(i) during the period covered by the report; and

''(ii) during the total period for which such support has been provided.

''(E) An assessment of the efficacy and cost-effectiveness of such assistance in support of the objectives and strategy of the Secretary of Homeland Security to address the challenges on the southern land border of the United States and recommendations, if any, to enhance the effectiveness of such assistance.

''(2) FORM OF REPORT.—Each report submitted under this subsection shall be submitted in unclassified form and without any designation relating to dissemination control, but may include a classified annex.''.

(c) CLASSIFICATION.—The Law Revision Counsel is directed to place this section in a note following section 284 of title 10, United States Code.

SEC. 1045. BATTLEFIELD AIRBORNE COMMUNICATIONS NODE CERTIFICATION REQUIREMENT.

(a) LIMITATION.—The Secretary of the Air Force may take no action that would prevent the Air Force from maintaining or operating the fleets of EQ-4 aircraft in the configurations and capabilities in effect on the date of the enactment of this Act, or in improved configurations and capabilities, before the date on which each of the three individual certifications described in subsection (b) have been submitted to the congressional defense committees.

(b) CERTIFICATIONS REQUIRED.—The certifications described in this subsection are the following;

(1) The written certification of the Chairman of the Joint Requirements Oversight Council that the replacement capability for the EQ-4 aircraft will—

(A) be fielded at the same time or before the divestment of the EQ-4 aircraft;

(B) result in equal or greater capability available to the commanders of the combatant commanders; and

(C) not result in less airborne capacity or on-station time available to the commanders of the combatant commands.

(2) The written certification of the Commander of United States Central Command that the replacement capability for the EQ-4 aircraft will not result in less airborne capacity or on-station time available for mission taskings that the EQ-4 provides, as of the date of the enactment of this Act, in the United States Central Command area of responsibility.

(3) The written certification of the Under Secretary of Defense for Acquisition and Sustainment that the validated operating and sustainment costs of the capability developed or fielded to replace an equivalent capacity the EQ-4 aircraft provides is less than the validated operating and sustainment costs for the EQ-4 aircraft on a comparable flight-hour cost basis.

(c) CALCULATION OF FLIGHT-HOUR COST BASIS.—For purposes of calculating the flight-hour cost basis under subsection (b)(3), the Under Secretary shall include all costs for—

(1) Unit level manpower;

(2) Unit operations;

(3) maintenance;

(4) sustaining support; and

(5) system improvements.

SEC. 1046. REQUIREMENTS RELATING TO NEWEST GENERATIONS OF PERSONAL PROTECTIVE EQUIPMENT.

(a) REPORTS.—

(1) REPORTS REQUIRED.—Not later than January 31, 2021, each Secretary of a military department shall submit to the congressional defense committees a report on the development and fielding of the newest generations of personal protective equipment to the Armed Forces under the jurisdiction of such Secretary.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for each Armed Force covered by such report, the following:

(A) A description and assessment of the development and fielding of the newest generations of personal protective equipment and auxiliary personal protective equipment to members of such Armed Force, including the following:

(i) The number (aggregated by total number and by sex) of members of such Armed Force issued the Army Soldiers Protective System and the Modular Scalable Vest Generation II body armor as of December 31, 2020.

(ii) The number (aggregated by total number and by sex) of members of such Armed Force issued Marine Corps Plate Carrier Generation III (PC Gen III) body armor as of that date.

(iii) The number (aggregated by total number and by sex) of members of such Armed Force fitted with legacy personal protective equipment as of that date.

(B) A description and assessment of the barriers, if any, to the development and fielding of such generations of equipment to such members.

(C) A description and assessment of challenges in the development and fielding of such generations of equipment to such members, including cost overruns, contractor delays, and other challenges.

(b) SYSTEM FOR TRACKING DATA ON INJURIES.—

(1) SYSTEM REQUIRED.—

(A) IN GENERAL.—The Director of the Defense Health Agency (DHA) shall develop and maintain a system for tracking data on injuries among members of the Armed Forces in and during the use of newest generation personal protective equipment.

(B) SCOPE OF SYSTEM.—The system required by this subsection may, at the election of the Director, be new for purposes of this subsection or within or a modification of an appropriate existing system (such as the Defense Occupational And Environmental Health Readiness System (DOEHRS)).

(2) REPORT.—Not later than January 31, 2025, the Director shall submit to Congress a report on the prevalence among members of the Armed Forces of preventable injuries attributable to ill-fitting or malfunctioning personal protective equipment.

(c) INCLUSION IN ANNUAL PERIODIC HEALTH ASSESSMENTS.—The annual Periodic Health Assessment (PHA) of members of the Armed Forces undertaken after the date of the enactment of this Act shall include one or more questions on whether members incurred an injury in connection with ill-fitting or malfunctioning personal protective equipment during the period covered by such assessment, including the nature of such injury.

SEC. 1047. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF A-10 AIRCRAFT.

(a) PROHIBITION.—Notwithstanding sections 134 and 135 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A-10 aircraft.

(b) EXCEPTION.—The limitation under subsection (a) shall not apply to any individual A-10 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a mishap or other damage or because the aircraft is uneconomical to repair.

SEC. 1048. MANDATORY CRITERIA FOR STRATEGIC BASING DECISIONS.

(a) IN GENERAL.—The Secretary of the Air Force shall modify Air Force Instruction 10–503 (pertaining to the strategic basing process) to ensure that the process for the selection of a location in the United States for the strategic basing of an aircraft includes the following:

(1) A comparative analysis of the overall community support for the mission among the candidate locations, as indicated by the formal comments received during the public comment period for the environmental impact statement relating to the basing decision and, in a case in which the Secretary selects a final location with less community support compared to other locations as indicated by such analysis, an explanation of the operational considerations that formed the basis for such selection.

(2) An analysis of joint and all-domain training capabilities at each candidate location, separate from and in addition to the mission criteria developed for the basing action.

(3) A comparative analysis of the airspace and training areas available at each candidate location, separate from and in addition to the mission criteria developed for the basing action.

(b) REPORT REQUIRED.—Not later than 14 days after the date on which the Secretary of Defense publicly announces the preferred and reasonable alternative locations for the basing of an aircraft as described in subsection (a), the Secretary shall submit to the congressional defense committees a report that includes—

(1) an assessment of each candidate location that was considered as part of the basing process, including, with respect to each such location, an analysis of each of the factors specified in paragraphs (1) through (3) of such subsection; and

(2) an explanation of how each candidate location was scored against such factors, including the weight assigned to each factor.

SEC. 1049. LIMITATION ON USE OF FUNDS PENDING PUBLIC AVAILABILITY OF TOP-LINE NUMBERS OF DEPLOYED MEMBERS OF THE ARMED FORCES.

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for Operation and Maintenance, Defense-wide, Office of the Secretary of Defense, for Travel of Persons, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense makes publicly available the top-line numbers of deployed members of the Armed Forces described in subsection (b).

(b) TOP-LINE NUMBERS DESCRIBED.— The top-line numbers of deployed members of the Armed Forces referred to in subsection (a)—

(1) are the numbers required to be made publicly available under section 595 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 122a note);

(2) shall include all such numbers for fiscal year 2017 and each subsequent fiscal year; and

(3) shall include the number of personnel on temporary duty and the number of personnel deployed in support of contingency operations.

(c) SENSITIVE MILITARY OPERATION.—The requirement under subsection (a) to make the top-line numbers of deployed members of the Armed Forces publicly available is not satisfied if the Secretary, in exercising the waiver authority under subsection (b) of section 595 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 122a note) does not submit the notice and reasons for the waiver determination to Committees of Armed Services of the House of Representatives and the Senate as required under paragraph (2) of such subsection.

SEC. 1050. LIMITATION ON PHYSICAL MOVE, INTEGRATION, REASSIGNMENT, OR SHIFT IN RESPONSIBILITY OF MARINE FORCES NORTHERN COMMAND.

(a) LIMITATION.—The Secretary of Defense may not take any action to execute the physical move, integration, reassignment, or shift in responsibility of the Marine Forces Northern Command before the date that is 60 days after the date on which the Secretary submits the report described in subsection (b).

(b) REPORT.—If the Secretary of Defense plans to take any action to physically move, integrate, reassign, or shift the responsibility of Marine Forces Northern Command, the Secretary shall submit to the congressional defense committees a report on such proposed action that includes each of the following:

(1) An analysis of how the proposed action would be beneficial to military readiness.

(2) A description of how the proposed action would align with the national defense strategy and the supporting strategies for each of the military departments.

(3) A description of the proposed organizational structure change associated with the action and how will it affect the relationship between Marine Forces Northern Command and administrative control responsibilities, operational control responsibilities, and tactical control responsibilities.

(4) The projected cost associated with the proposed action and any projected long-term cost savings.

(5) A detailed description of any requirements for new infrastructure or relocation of equipment and assets associated with the proposed action.

(6) A description of how the proposed action would facilitate total force integration and Marine Corps general officer progression, including with respect to the reserve components.

(c) WAIVER.—The Secretary may waive the limitation under subsection (a) if the Secretary determines such a waiver is necessary by reason of hostilities or the imminent threat of hostilities.

(d) APPLICABILITY.—This section shall apply with respect to any action to execute the physical move, integration, reassignment, or shift in responsibility of the Marine Forces Northern Command that is initiated on or after the date of the enactment of this Act. In the case of such an action that was initiated but not completed before the date of the enactment of this Act, no additional effort may be made to complete such action before the date that is 60 days after the date on which the Secretary submits the report described in subsection (b).

SEC. 1051. CONDITIONS FOR PERMANENTLY BASING UNITED STATES EQUIPMENT OR ADDITIONAL FORCES IN HOST COUNTRIES WITH AT-RISK VENDORS IN 5G OR 6G NETWORKS.

(a) IN GENERAL.—Prior to basing a major weapon system or additional permanently assigned forces comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host country with at-risk 5th generation (5G) or sixth generation (6G) wireless network equipment, software, and services, including supply chain vulnerabilities identified by the Federal Acquisition Security Council, where United States military personnel and their families will be directly connected or subscribers to networks that include such at-risk equipment, software, and services in their official duties or in the conduct of personal affairs, the Secretary of Defense shall provide a notification to the congressional defense committees that includes a description of—

(1) steps being taken by the host country to mitigate any potential risks to the weapon systems, military units, or personnel, and the Department of Defense's assessment of those efforts;

(2) steps being taken by the United States Government, separately or in collaboration with the host country, to mitigate any potential risks to the weapon systems, permanently deployed forces, or personnel;

(3) any defense mutual agreements between the host country and the United States intended to allay the costs of risk mitigation posed by the at-risk infrastructure; and

(4) any other matters the Secretary determines to be relevant.

(b) APPLICABILITY.—The conditions in subsection (a) apply to the permanent long-term stationing of equipment and permanently assigned forces, and do not apply to short-term deployments or rotational presence to military installations outside the United States in connection with exercises, dynamic force employment, contingency operations, or combat operations.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains an assessment of—

(1) the risk to personnel, equipment, and operations of the Department of Defense in host countries posed by the current or intended use

by such countries of 5G or 6G telecommunications architecture provided by at-risk vendors; and

(2) measures required to mitigate the risk described in paragraph (1), including the merit and feasibility of the relocation of certain personnel or equipment of the Department to another location without the presence of 5G or 6G telecommunications architecture provided by at-risk vendors.

(d) FORM.—The report required by subsection (c) shall be submitted in a classified form with an unclassified summary.

(e) MAJOR WEAPON SYSTEM DEFINED.—In this section, the term ''major weapon system'' has the meaning given that term in section 2379(f) of title 10, United States Code.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

SEC. 1101. FAMILY AND MEDICAL LEAVE AMENDMENTS.

(a) IN GENERAL.—

(1) PAID PARENTAL LEAVE FOR EMPLOYEES OF DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—

(A) DISTRICT OF COLUMBIA COURTS.—Section 11–1726, District of Columbia Official Code, is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to 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 (Public Law 116–92), is amended—

(i) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(or, in the case of leave that includes leave under subparagraph (A) or (B) of this paragraph, 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''12 administrative workweeks of leave''; and

(ii) in paragraph (4), by inserting ''(or 26 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''26 administrative workweeks of leave''.

(B) CONGRESSIONAL EMPLOYEES.—Section 202(a)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(a)(1)), as amended by section 7603 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(i) in the second sentence, by inserting ''and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section'' before the period; and

(ii) by striking the third sentence and inserting the following: ''For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section.''.

(C) OTHER EMPLOYEES COVERED UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(a)) is amended by adding at the end the following:

''(6) SPECIAL RULES ON PERIOD OF LEAVE.—With respect to an employee of the Government Accountability Office and an employee of the Library of Congress—

''(A) in the case of leave that includes leave under subparagraph (A) or (B) of paragraph (1), the employee shall be entitled to 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

''(B) for purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be.''.

(3) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(b) PAID PARENTAL LEAVE FOR PRESIDENTIAL EMPLOYEES.—

(1) AMENDMENTS TO CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—Section 412 of title 3, United States Code, is amended—

(A) in subsection (a)(1), by adding at the end the following: ''In applying section 102 of such Act with respect to leave for an event described in subsection (a)(1)(A) or (B) of such section to covered employees, subsection (c) of this section shall apply and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section. For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section.'';

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(C) by inserting after subsection (b) the following:

''(c) SPECIAL RULE FOR PAID PARENTAL LEAVE.—

''(1) SUBSTITUTION OF PAID LEAVE.—A covered employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) any paid leave which is available to such employee for that purpose.

''(2) AMOUNT OF PAID LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is—

''(A) the number of weeks of paid parental leave in connection with the birth or placement involved that corresponds to the number of administrative workweeks of paid parental leave available to employees under section 6382(d)(2)(B)(i) of title 5, United States Code; and

''(B) during the 12-month period referred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) and in addition to the administrative workweeks 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) FAA.—

(A) IN GENERAL.—Paragraph (3) of section 102(d) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)(3)), as added by section 7604 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(i) in the paragraph heading, by inserting ''AND FEDERAL AVIATION ADMINISTRATION'' after ''GAO'';

(ii) in subparagraphs (A) and (B), by striking ''the Government Accountability Office'' in each instance and inserting ''the Government Accountability Office or the Federal Aviation Administration''; and

(iii) in subparagraph (D)(i), by striking ''the Government Accountability Office'' and inserting ''the Government Accountability Office or the Federal Aviation Administration (as the case may be)''.

(B) APPLICABILITY.—The amendments made by subparagraph (A) shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(2) CORRECTIONS FOR TSA SCREENERS.—Section 7606 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(A) by striking ''Section 111(d)(2)'' and inserting the following:

''(a) IN GENERAL.—Section 111(d)(2)''; and

(B) by adding at the end the following:

''(b) EFFECTIVE DATE; APPLICATION.—

''(1) IN GENERAL.—The amendment made by subsection (a) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

''(2) APPLICATION TO SERVICE REQUIREMENT FOR ELIGIBILITY.—For purposes of applying the period of service requirement under subparagraph (B) of section 6381(1) to an individual appointed under section 111(d)(1) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note), the amendment made by subsection (a) of this section shall apply with respect to any period of service by the individual under such an appointment, including service before the effective date of such amendment.''.

(d) TITLE 38 EMPLOYEES.—

(1) IN GENERAL.—Section 7425 of title 38, United States Code, is amended—

(A) in subsection (b), by striking ''Notwithstanding'' and inserting ''Except as provided in subsection (c), and notwithstanding''; and

(B) by adding at the end the following:

''(c) Notwithstanding any other provision of this subchapter, the Administration shall provide to individuals appointed to any position described in section 7421(b) who are employed by the Administration family and medical leave in the same manner, to the maximum extent practicable, as family and medical leave is provided under 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).''.

(3) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(f) TECHNICAL CORRECTIONS.—

(1) Section 7605 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''on active duty'' each place it appears and inserting ''on covered active duty''.

(2) Subparagraph (E) of section 6382(d)(2) of title 5, United States Code, as added by section 7602 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by striking ''the requirement to complete'' and all that follows and inserting ''the service requirement under subparagraph (B) of section 6381(1).''.

(3) Section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as amended by section 7603 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by inserting ''accrued'' before ''sick leave''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted immediately after the enactment of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SEC. 1102. LIMITATION ON AUTHORITY TO EXCLUDE EMPLOYEES FROM CHAPTER 71 OF TITLE 5.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be used to carry out the authority provided under section 7103(b) of title 5, United States Code, to exclude the Department of Defense or any agency or subdivision thereof from coverage under chapter 71 of such title.

SEC. 1103. AUTHORITY TO PROVIDE TRAVEL AND TRANSPORTATION ALLOWANCES IN CONNECTION WITH TRANSFER CEREMONIES OF DEPARTMENT OF DEFENSE AND COAST GUARD CIVILIAN EMPLOYEES WHO DIE OVERSEAS.

(a) TRAVEL AND TRANSPORTATION ALLOWANCES.—

(1) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1492. Authority to provide travel and transportation allowances in connection with transfer ceremonies of department of defense and coast guard civilian employees who die overseas

''The Secretary of the military department concerned, the agency head of a Defense Agency or Department of Defense Field Activity, or the Secretary of Homeland Security, as appropriate, may provide round trip travel and transportation allowances in connection with ceremonies for the transfer of a Department of Defense or Coast Guard civilian employee who dies while located or serving overseas to eligible relatives and provide for the accompaniment of such persons to the same extent as the Secretary of Defense may provide such travel and transportation allowances and accompaniment services to such persons with respect to a deceased service member under chapter 8 of title 37.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such subchapter is amended by adding at the end the following new item:

''1492. Authority to provide travel and transportation allowances in connection with transfer ceremonies of department of defense and coast guard civilian employees who die overseas.''.

(b) TECHNICAL AMENDMENTS.—Section 481f(d) of title 37, United States Code, is amended—

(1) in the subsection heading, by striking ''TRANSPORTATION TO'' and inserting ''TRAVEL AND TRANSPORTATION ALLOWANCES IN CONNECTION WITH''; and

(2) in paragraph (1) in the matter preceding subparagraph (A), by striking ''transportation to'' and inserting ''travel and transportation allowances in connection with''.

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1105 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''through 2020'' and inserting ''through 2021''.

SEC. 1105. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''2021'' and inserting ''2022''.

SEC. 1106. LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A PAY LOCALITY.

(a) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(1) in paragraph (1)(B)(i), by striking ''(but such'' and all that follows through ''are employed)'';

(2) in paragraph (4), by striking ''and'' after the semicolon;

(3) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end of the following:

''(6) the Office of Personnel Management may define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States'.''.

(b) PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(1) in paragraph (2)(C), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) 'pay locality' has the meaning given that term under section 5302(5).''.

(c) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this section and the amendments made by this section, including regulations to ensure that this section and the amendments made by this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to fiscal year 2022 and each fiscal year thereafter.

SEC. 1107. CIVILIAN FACULTY AT THE DEFENSE SECURITY COOPERATION UNIVERSITY AND INSTITUTE OF SECURITY GOVERNANCE.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

''(6) The Defense Security Cooperation University.

''(7) The Defense Institute for Security Governance.''.

SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT OF RECENTLY-RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS AT CERTAIN INDUSTRIAL BASE FACILITIES.

(a) IN GENERAL.—Subsection (b) of section 3326 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the proposed appointment is to a position in the competitive service—

''(A) at any industrial base facility (as that term is defined in section 2208(u)(3) of title 10) that is part of the core logistics capabilities (as described in section 2464(a) of such title); and

''(B) that has been certified by the Secretary concerned as lacking sufficient numbers of qualified applicants.''.

(b) LIMITATION ON DELEGATION OF CERTIFICATION AUTHORITY.—Such section 3326 is further amended by adding at the end the following:

''(d) The authority to make a certification described in subsection (b)(3) may not be delegated to an individual with a grade lower than colonel, or captain in the Navy, or an inriviaul with an equivalent civilian grade.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the amendments made by subsections (a) and (b) shall supplement, and not provide any exception to, the competitive hiring process for the Federal civil service.

SEC. 1109. FIRE FIGHTERS ALTERNATIVE WORK SCHEDULE DEMONSTRATION PROJECT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commander, Navy Region Mid-Atlantic, shall establish and carry out, for a period of not less than 5 years, a Fire Fighters Alternative Work Schedule demonstration project for the Navy Region Mid-Atlantic Fire and Emergency Services. Such demonstration project shall provide, with respect to each Services employee, that—

(1) assignments to tours of duty are scheduled in advance over periods of not less than two weeks;

(2) tours of duty are scheduled using a regularly recurring pattern of 48-hour shifts followed by 48 or 72 consecutive non-work hours, as determined by mutual agreement between the Navy Region Mid-Atlantic and the exclusive employee representative at each Navy Region Mid-Atlantic Installation, in such a manner that each employee is regularly scheduled for 144-hours in any two-week period;

(3) for any such employee that is a fire fighter working an alternative work schedule, such employee shall earn overtime compensation in a manner consistent with other applicable law and regulation;

(4) no right shall be established to any form of premium pay, including night, Sunday, holiday, or hazard duty pay; and

(5) leave accrual and use shall be consistent with other applicable law and regulation.

(b) REPORT.—Not later than 180 days following the end of such demonstration project, the Commander, Navy Region Mid-Atlantic, shall submit a report to the Committees on Armed Services of the House of Representatives and the Senate detailing—

(1) any financial savings or expenses directly and inseparably linked to the demonstration project;

(2) any intangible quality of life and morale improvements achieved by the demonstration project; and

(3) any adverse impact of the demonstration project occurring solely as the result of the transition to the demonstration project.

SEC. 1110. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR FEDERAL GOVERNMENT PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 22 U.S.C. 2680b) is amended—

(1) in subsection (a), by inserting ''or the head of any other Federal agency'' after ''The Secretary of State'';

(2) in subsection (e)(2)—

(A) by striking ''the Department of State'' and inserting ''the Federal Government''; and

(B) by inserting after ''subsection (f)'' the following: '', but does not include an individual receiving compensation under section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b)''; and

(3) in subsection (h)(2), by striking the first sentence and inserting the following: ''Nothing in this section shall limit, modify, or otherwise supersede chapter 81 of title 5, United States Code, the Defense Base Act (42 U.S.C. 1651 et seq.), or section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b).''.

Subtitle B—Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020

SEC. 1121. SHORT TITLE.

This subtitle may be cited as the ''Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020''.

SEC. 1122. SENSE OF CONGRESS.

Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by striking paragraph (4) and inserting the following:

''(4) accountability in the enforcement of the rights of Federal employees is furthered when Federal agencies agree to take appropriate disciplinary action against Federal employees who are found to have intentionally committed discriminatory (including retaliatory) acts;''; and

(2) in paragraph (5)(A)—

(A) by striking ''nor is accountability'' and inserting ''accountability is not''; and

(B) by inserting ''for what, by law, the agency is responsible'' after ''under this Act''.

SEC. 1123. NOTIFICATION OF VIOLATION.

Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(d) NOTIFICATION OF FINAL AGENCY ACTION.—

''(1) IN GENERAL.—Not later than 90 days after the date on which an event described in paragraph (2) occurs with respect to a finding of discrimination (including retaliation), the head of the Federal agency subject to the finding shall provide notice—

''(A) on the public internet website of the agency, in a clear and prominent location linked directly from the home page of that website;

''(B) stating that a finding of discrimination (including retaliation) has been made; and

''(C) which shall remain posted for not less than 1 year.

''(2) EVENTS DESCRIBED.—An event described in this paragraph is any of the following:

''(A) All appeals of a final action by a Federal agency involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

''(B) All appeals of a final decision by the Equal Employment Opportunity Commission involving a finding of discrimination (including if the finding included a finding of retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

''(C) A court of jurisdiction issues a final judgment involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a).

''(3) CONTENTS.—A notification provided under paragraph (1) with respect to a finding of discrimination (including retaliation) shall—

''(A) identify the date on which the finding was made, the date on which each discriminatory act occurred, and the law violated by each such discriminatory act; and

''(B) advise Federal employees of the rights and protections available under the provisions of law covered by paragraphs (1) and (2) of section 201(a).''.

SEC. 1124. REPORTING REQUIREMENTS.

(a) ELECTRONIC FORMAT REQUIREMENT.—

(1) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended in the matter preceding paragraph (1)—

(A) by inserting ''Homeland Security and'' before ''Governmental Affairs'';

(B) by striking ''on Government Reform'' and inserting ''on Oversight and Reform''; and

(C) by inserting ''(in an electronic format prescribed by the Director of the Office of Personnel Management),'' after ''an annual report''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1)(C) shall take effect on the date that is 1 year after the date of enactment of this Act.

(3) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section 203(a) may be submitted in an electronic format, as prescribed by the Director of the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in paragraph (2).

(b) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(c) DISCIPLINARY ACTION REPORT.—Not later than 120 days after the date on which a Federal agency takes final action, or a Federal agency receives a final decision issued by the Equal Employment Opportunity Commission, involving a finding of discrimination (including retaliation) in violation of a provision of law covered by paragraph (1) or (2) of section 201(a), as applicable, the applicable Federal agency shall submit to the Commission a report stating—

''(1) whether disciplinary action has been proposed against a Federal employee as a result of the violation; and

''(2) the reasons for any disciplinary action proposed under paragraph (1).''.

SEC. 1125. DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.

Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

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

(B) in subparagraph (B)(ii), by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(C) with respect to each finding described in subparagraph (A)—

''(i) the date of the finding,

''(ii) the affected Federal agency,

''(iii) the law violated, and

''(iv) whether a decision has been made regarding disciplinary action as a result of the finding.''; and

(2) by adding at the end the following:

''(11) Data regarding each class action complaint filed against the agency alleging discrimination (including retaliation), including—

''(A) information regarding the date on which each complaint was filed,

''(B) a general summary of the allegations alleged in the complaint,

''(C) an estimate of the total number of plaintiffs joined in the complaint, if known,

''(D) the current status of the complaint, including whether the class has been certified, and

''(E) the case numbers for the civil actions in which discrimination (including retaliation) has been found.''.

SEC. 1126. DATA TO BE POSTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

Section 302(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by striking ''(10)'' and inserting ''(11)''.

SEC. 1127. NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002 AMENDMENTS.

(a) NOTIFICATION REQUIREMENTS.—Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5

U.S.C. 2301 note) is amended by adding at the end the following:

"SEC. 207. COMPLAINT TRACKING.

''Not later than 1 year after the date of enactment of the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, and adjudicated through the Equal Employment Opportunity process from the filing of a complaint with the Federal agency to resolution of the complaint, including whether a decision has been made regarding disciplinary action as the result of a finding of discrimination.

"SEC. 208. NOTATION IN PERSONNEL RECORD.

''If a Federal agency takes an adverse action covered under section 7512 of title 5, United States Code, against a Federal employee for an act of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a), the agency shall, after all appeals relating to that action have been exhausted, include a notation of the adverse action and the reason for the action in the personnel record of the employee.''.

(b) PROCESSING AND REFERRAL.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

"TITLE IV—PROCESSING AND REFERRAL

"SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.

''Each Federal agency shall—

''(1) be responsible for the fair and impartial processing and resolution of complaints of employment discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a); and

''(2) establish a model Equal Employment Opportunity Program that—

''(A) is not under the control, either structurally or practically, of the agency's Office of Human Capital or Office of the General Counsel (or the equivalent);

''(B) is devoid of internal conflicts of interest and ensures fairness and inclusiveness within the agency; and

''(C) ensures the efficient and fair resolution of complaints alleging discrimination (including retaliation).

"SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.

''Nothing in this title shall prevent a Federal agency or a subcomponent of a Federal agency, or the Department of Justice, from providing advice or counsel to employees of that agency (or subcomponent, as applicable) in the resolution of a complaint.

"SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF AGENCY.

''The head of each Federal agency's Equal Employment Opportunity Program shall report directly to the head of the agency.

"SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.

''(a) EEOC FINDINGS OF DISCRIMINATION.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the Equal Employment Opportunity Commission (referred to in this section as the 'Commission') receives, or should have received, a Federal agency report required under section 203(c), the Commission may refer the matter to which the report relates to the Office of Special Counsel if the Commission determines that the Federal agency did not take appropriate action with respect to the finding that is the subject of the report.

''(2) NOTIFICATIONS.—The Commission shall—

''(A) notify the applicable Federal agency if the Commission refers a matter to the Office of Special Counsel under paragraph (1); and

''(B) with respect to a fiscal year, include in the Annual Report of the Federal Workforce of the Commission covering that fiscal year—

''(i) the number of referrals made under paragraph (1) during that fiscal year; and

''(ii) a brief summary of each referral described in clause (i).

''(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a)(1) for purposes of pursuing disciplinary action under the authority of the Office against a Federal employee who commits an act of discrimination (including retaliation).

''(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission and the applicable Federal agency in a case in which—

''(1) the Office of Special Counsel pursues disciplinary action under subsection (b); and

''(2) the Federal agency imposes some form of disciplinary action against a Federal employee who commits an act of discrimination (including retaliation).

''(d) SPECIAL COUNSEL APPROVAL.—A Federal agency may not take disciplinary action against a Federal employee for an alleged act of discrimination (including retaliation) referred by the Commission under this section, except in accordance with the requirements of section 1214(f) of title 5, United States Code.''.

(c) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by inserting after the item relating to section 206 the following:

''Sec. 207. Complaint tracking.
''Sec. 208. Notation in personnel record.''; and

(2) by adding at the end the following:

''TITLE IV—PROCESSING AND REFERRAL
''Sec. 401. Processing and resolution of complaints.
''Sec. 402. No limitation on advice or counsel.
''Sec. 403. Head of Program supervised by head of agency.
''Sec. 404. Referrals of findings of discrimination.''.

SEC. 1128. NONDISCLOSURE AGREEMENT LIMITATION.

Section 2302(b)(13) of title 5, United States Code, is amended—

(1) by striking ''agreement does not'' and inserting the following: ''agreement—

''(A) does not'';

(2) in subparagraph (A), as so designated, by inserting ''or the Office of Special Counsel'' after ''Inspector General''; and

(3) by adding at the end the following:

''(B) prohibits or restricts an employee or applicant for employment from disclosing to Congress, the Special Counsel, the Inspector General of an agency, or any other agency component responsible for internal investigation or review any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or any other whistleblower protection; or''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION AND EXTENSION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) AUTHORITY.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639) is amended—

(1) by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(2) by striking ''2023'' and inserting ''2025''.

(b) NOTIFICATION.—Subsection (d)(2) of such section is amended—

(1) by redesignating subparagraph (E) as subparagraph (G);

(2) by inserting after subparagraph (D) the following:

''(E) A description of steps taken to ensure the support is consistent with other United States diplomatic and security interests, including issues related to local political dynamics, civil-military relations, and human rights.

''(F) A description of steps taken to ensure that the recipients of the support have not and will not engage in human rights violations or violations of the Geneva Conventions of 1949, including vetting, training, and support for adequately investigating allegations of violations and removing support in case of credible reports of violations.''; and

(3) in clause (i) of subparagraph (G), as redesignated, to read as follows:

''(i) An introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).''.

(c) CONSTRUCTION OF AUTHORITY.—Subsection (f)(2) of such section is amended by striking ''of section 5(b)''.

(d) CLARIFICATION.—Such section, as so amended, is further amended—

(1) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (f) the following:

''(g) CLARIFICATION.—The provision of support to foreign forces, irregular forces, groups, or individuals pursuant to subsection (a) constitutes support to a unit of a foreign security force for purposes of section 362 of title 10, United States Code.''.

SEC. 1202. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF SURFACE TRANSPORTATION SERVICES.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following:

"§ 2350o. Participation in European Program on Multilateral Exchange of Surface Transportation Services

''(a) PARTICIPATION AUTHORIZED.—(1) The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Surface Exchange of Services program (in this section referred to as the 'SEOS program') of the Movement Coordination Centre Europe.

''(2) Participation in the SEOS program under paragraph (1) may include—

''(A) the reciprocal exchange or transfer of surface transportation on a reimbursable basis or by replacement-in-kind; or

''(B) the exchange of surface transportation services of equal value.

''(b) WRITTEN ARRANGEMENTS OR AGREEMENTS.—(1) The participation of the United States in the SEOS program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

''(2) If facilities, equipment, or funds of the Department of Defense are used to support the SEOS program, the written arrangement or agreement entered into under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

''(3) Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of surface transportation services shall be liquidated, not less than once every five years, through the SEOS program.

''(c) IMPLEMENTATION.—In carrying out any arrangement or agreement entered into under subsection (b)(1), the Secretary of Defense may—

''(1) from funds available to the Department of Defense for operation and maintenance, pay

the equitable share of the United States for the operating expenses of the Movement Coordination Centre Europe and the SEOS program; and

''(2) assign members of the armed forces or civilian personnel of the Department of Defense, from among members and personnel within billets authorized for the United States European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill the obligations of the United States under that arrangement or agreement.

''(d) CREDITING OF RECEIPTS.—Any amount received by the United States as part of the SEOS program shall be credited, at the option of the Secretary of Defense, to—

''(1) the appropriation, fund, or account used in incurring the obligation for which such amount is received; or

''(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

''(e) EXPIRATION.—The authority provided by this section to participate in the SEOS program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

''(f) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to authorize the use of foreign sealift in violation of section 2631 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2350o. Participation in European program on multilateral exchange of surface transportation services.''.

SEC. 1203. EXTENSION OF AUTHORITY TO TRANSFER EXCESS HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLES TO FOREIGN COUNTRIES.

Section 1276 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1699) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph(A), by adding at the end the following: ''Such description may include, if applicable, a description of the priority United States security or defense cooperation interest with the recipient country that is fulfilled by the waiver.''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) An explanation of why it is in the national interests of the United States to make the transfer notwithstanding the requirements of subsection (a)(1).''; and

(2) in subsection (c)(2), by striking ''three'' and inserting ''five''.

SEC. 1204. MODIFICATION AND EXTENSION OF UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION REPORT.

(a) IN GENERAL.—Subsection (a) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540) is amended—

(1) by striking ''an annual basis'' and inserting ''a biannual basis''; and

(2) by striking ''the previous year'' and inserting ''the previous 6 months''.

(b) ELEMENTS.—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''the year'' and inserting ''the period'';

(2) in paragraph (1), by inserting ''the number of maritime and overflight challenges to each such claim and'' before ''the country'';

(3) in paragraph (5), by inserting ''have been protested by the United States but'' before ''have not been challenged''; and

(4) by adding at the end the following:

''(6) A summary of each excessive maritime claim challenged jointly with international partners and allies.''.

(c) FORM.—Subsection (c) of such section is amended by adding at the end before the period the following: ''and made publicly available''.

(d) SUNSET.—Subsection (d) of such section is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

*(e) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''**ANNUAL**'' and inserting ''**BIANNUAL**''.*

SEC. 1205. EXTENSION OF REPORT ON WORKFORCE DEVELOPMENT.

Section 1250(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2529) is amended by striking ''through 2021'' and inserting ''through 2026''.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''October 1, 2019, and ending on December 31, 2020'' and inserting ''October 1, 2020, and ending on December 31, 2021''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''October 1, 2019, and ending on December 31, 2020'' and inserting ''October 1, 2020, and ending on December 31, 2021''; and

(2) by striking ''$450,000,000'' and inserting ''$180,000,000''.

SEC. 1212. EXTENSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2020'' and inserting ''2021'';

(2) in clause (i), by striking ''December 31, 2021'' and inserting ''December 31, 2022''; and

(3) in clause (ii), the striking ''December 31, 2021'' inserting ''December 31, 2022''.

(b) REPORT EXTENSION.—Section 602(b)(13) of such Act (8 U.S.C. 1101 note) is amended by striking ''January 31, 2021'' and inserting ''January 31, 2023''.

SEC. 1213. LIMITATION ON USE OF FUNDS TO REDUCE DEPLOYMENT TO AFGHANISTAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security interests of the United States to deny terrorists safe haven in Afghanistan, protect the United States homeland, uphold the United States partnership with the Government of Afghanistan and cooperation with the Afghan National Defense and Security Forces, and protect the hard-fought rights of women, girls, and other vulnerable populations in Afghanistan;

(2) a rapid military drawdown and a lack of United States commitment to the security and stability of Afghanistan would undermine diplomatic efforts for peace;

(3) the current agreement between the United States and the Taliban does not provide for the appropriate protections for vulnerable populations, does not create conditions for the rejection of violence and prevention of terrorist safe havens, and does not represent a realistic diplomatic solution, based on verifiable facts and conditions on the ground, that provides for long-term stability; and

(4) the Administration has a constitutional obligation to provide Congress with timely and comprehensive information on the status of security operations and diplomatic efforts in a form that can be transparently communicated to the American people.

(b) LIMITATION.—Until the date on which the Secretary of Defense, in concurrence with each covered official, submits the report described in subsection (c) to the appropriate congressional committees, none of the amounts authorized to be appropriated for fiscal year 2020 or 2021 for the Department of Defense may be obligated or expended for any activity having either of the following effects:

(1) Reducing the total number of Armed Forces deployed to Afghanistan below the lesser of—

(A) 8,000, or

(B) the total number of the Armed Forces deployed as of the date of the enactment of this Act.

(2) Reducing the total number of Armed Forces deployed to Afghanistan below 4,000.

(c) REPORT.—The report described in this subsection shall include each of the following:

(1) A certification that the intended withdrawal of the United States Armed Forces in Afghanistan—

(A) will not compromise or otherwise negatively affect the ongoing United States counterterrorism mission against the Islamic State, al-Qaeda, and associated forces;

(B) will not unduly increase the risk to United States personnel in Afghanistan;

(C) will not increase the risk for the expansion of existing or formation of new terrorist safe havens inside Afghanistan;

(D) will be undertaken with the consultation and coordination of allies supporting the United States- and North Atlantic Treaty Organization-led missions; and

(E) is in the best interest of United States national security and in furtherance of United States policy toward Afghanistan for achieving an enduring diplomatic solution.

(2) An analysis of the impact that the intended withdrawal of United States Armed Forces from Afghanistan would have on each of the following:

(A) The threat posed by the Taliban and terrorist organizations, including by each covered terrorist organization, to—

(i) the United States homeland;

(ii) United States interests abroad;

(iii) allied countries of the North Atlantic Treaty Organization;

(iv) the Government of Afghanistan; and

(v) regional peace and security.

(B) The status of the human and civil rights (including access to voting, education, justice, and economic opportunities) of women, girls, people with disabilities, religious and ethnic minorities, and other vulnerable populations in Afghanistan.

(C) Transparent, credible, and inclusive political processes in Afghanistan.

(D) The capacity of the Afghan National Defense and Security Forces to effectively—

(i) prevent or defend against attacks by the Taliban or by terrorist organizations (including by each covered terrorist organization) on civilian populations;

(ii) prevent the takeover of one or more provincial capitals by the Taliban or by associated organizations;

(iii) conduct counterterrorism operations necessary to deny safe harbor to terrorist organizations, including each covered terrorist organization; and

(iv) maintain institutional order and discipline.

(E) The influence of malign state actors on the sovereignty of Afghanistan and the strategic national security interests of the United States in the region.

(F) Any other matter the Secretary of Defense, in concurrence with each covered official, determines appropriate.

(3) An assessment of the manner and extent to which—

(A) state actors have provided any incentives to the Taliban, their affiliates, or other foreign terrorist organizations for attacks against United States, coalition, or Afghan security forces or civilians in Afghanistan in the last 2 years, including the details of any attacks believed to have been connected with such incentives;

(B) the Taliban has publicly renounced al-Qaeda;

(C) the Taliban has made any efforts to break with al-Qaeda since February 29, 2020, and a description of these efforts;

(D) any senior al-Qaeda leaders, including Ayman al-Zawahiri, or any leaders of al-Qaeda in the Indian Subcontinent, have been present in Afghanistan since February 29, 2020, and if so, the names of the leaders, the dates they were present in Afghanistan, and their other locations since February 29, 2020;

(E) any members of al-Qaeda, al-Qaeda in the Indian Subcontinent, al-Qaeda-affiliated groups, or any covered terrorist organization have, since February 29, 2020—

(i) fought alongside, trained alongside, otherwise operated alongside, or sheltered with the Taliban in Afghanistan;

(ii) conducted attacks inside Afghanistan, and, if so, the dates and locations of such attacks;

(iii) operated training camps or related facilities inside Afghanistan, and, if so, the locations of those camps or facilities;

(iv) traveled from Afghanistan to Pakistan or Iran, or from Pakistan or Iran to Afghanistan;

(v) continued to have ties to any Taliban leaders or members located in Pakistan; or

(vi) continued to work with the Haqqani Network;

(F) any of the prisoners released by the Government of Afghanistan as a result of the February 29, 2020, agreement between the United States and Taliban—

(i) are members of, or have ties to, any covered terrorist organizations or any other organization designated by the United States as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and, if so, the names of such former prisoners and the reasons for their detention inside Afghanistan; or

(ii) are suspected of taking part in attacks against American service members or civilians or attacks that caused American casualties and, if so, the names of the prisoners, the date and location of such attacks, and the number of American casualties attributed to such attacks;

(G) any of the prisoners the Taliban has requested for release, but who have not yet been released as of the date of the enactment of this Act, are members of, or have ties to, any covered terrorist organizations or any other organization designated by the United States as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and, if so, the names of the prisoners and the organizations to which they are affiliated; and

(H) senior Taliban leaders, including members of the Haqqani Network, who are located in Pakistan continue to exercise control over the insurgency in Afghanistan.

(4) The number of attacks that the Taliban has carried out in Afghanistan since February 29, 2020, including the location and date of each attack as well as casualties related to each attack.

(d) FORM.—The report described in subsection (c) shall be submitted in unclassified form without any designation relating to dissemination control, but may contain a classified annex that is accompanied by an unclassified summary of the annex.

(e) WAIVER.—The Secretary of Defense may waive the limitation under subsection (b) if, in consultation with the Chairman of the Joint Chiefs of Staff and the Commander of United States Forces, Afghanistan, the Secretary—

(1) determines that the waiver is—

(A) necessary due to an imminent and extraordinary threat to members of the United States Armed Forces in the Afghanistan; or

(B) vital to the national security interests of the United States; and

(2) submits to the appropriate congressional committees a detailed, written justification for such waiver, not later than 10 days after the effective date of the waiver; and

(3) in the case of a determination described in paragraph (1)(A), includes in such justification each of the following:

(A) A detailed description of the change in threat assessment leading to the determination.

(B) An explanation for the reasons for which existing force protection mechanisms were not sufficient to reasonably ensure the safety of members of the Armed Forces.

(C) The steps that have been taken to ensure that United States equipment does not fall into enemy hands.

(D) A description of the coordination with allied countries of the North Atlantic Treaty Organization and with other allies and partners with respect to the withdrawal.

(E) A description of the coordination with the Department of State to ensure the safety of American citizens in Afghanistan in light of and subsequent to the withdrawal.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) COVERED OFFICIAL.—The term ''covered official'' means—

(A) the Secretary of State;

(B) the Director of National Intelligence;

(C) the Chairman of the Joint Chiefs of Staff;

(D) the Commander of United States Central Command;

(E) the Commander of United States Forces, Afghanistan; and

(F) the United States Permanent Representative to the North Atlantic Treaty Organization.

(3) COVERED TERRORIST ORGANIZATION.—The term ''covered terrorist organization'' means any of the following:

(A) al-Qaeda and affiliates, including al-Qaeda in the Indian Subcontinent.

(B) The Islamic State and affiliates.

(C) Tehrik-e Taliban Pakistan.

(D) The Haqqani Network.

(E) Islamic Movement of Uzbekistan.

(F) Eastern Turkistan Islamic Movement.

(G) Ansralluh.

(H) Lashkar-e-Tayyiba (including under the alias Jamaat-ud-Dawa).

(I) Jaish-e-Mohammed.

(J) Harakat ul-Jihad-Islami.

(K) Harakat ul-Mujahidin.

(L) Jaysh al-Adl.

(M) Lashkar-i-Jhangvi.

(N) Mullah Nasir Group.

(O) Hafiz Gul Bahadar Group.

(P) Lashkar-i-Islam.

(Q) Islamic Jihad Union Group.

(R) Jamaat-ud-Dawa al Quran.

(S) Ansarul Islam.

SEC. 1214. REPORT ON OPERATION FREEDOM SENTINEL.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and as part of the materials relating to Operation Freedom Sentinel submitted to Congress by the Secretary of Defense in support of the budget of the President for the following two fiscal years, the Secretary shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on Operation Freedom Sentinel.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a list and description of activities, exercises, and funding amounts carried out under the operation, including—

(1) specific direct war costs;

(2) activities that occur in Afghanistan;

(3) activities that occur outside of Afghanistan, including training and costs relating to personnel;

(4) activities that provide funding to any of the services that is part of the operation's budget request; and

(5) activities related to transportation, logistics, and other support.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(2) by striking ''$645,000,000'' and inserting ''$500,000,000''.

(c) WAIVER AUTHORITY; SCOPE.—Subsection (j)(3) of such section is amended—

(1) by striking ''congressional defense committees'' each place it appears and inserting ''appropriate congressional committees''; and

(2) by adding at the end the following:

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

''(i) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

''(ii) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.''.

(d) ANNUAL REPORT.—Such section is amended by adding at the end the following:

''(o) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this subsection, and annually thereafter for two years, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that includes—

''(1) a detailed description of the weapons and equipment purchased using the Counter-ISIS Train and Equip Fund in the previous fiscal year; and

''(2) a detailed description of the incremental costs for operations and maintenance for Operation Inherent Resolve in the previous fiscal year.''.

(e) BUDGET DISPLAY SUBMISSION.—

(1) IN GENERAL.—The Secretary of Defense shall include in the budget materials submitted by the Secretary in support of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023 a detailed budget display for funds requested for the Department of Defense for such fiscal year for Operation Inherent Resolve.

(2) MATTERS TO BE INCLUDED.—The detailed budget display required under paragraph (1) shall include the following:

(A) With respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amount.

(B) With respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount.

(C) With respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of the specific manner in which each such amount would be used.

(D) With respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount.

(E) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3451) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Subsection (b)(2)(A) of such section is amended by striking ''fiscal year 2019 or fiscal year 2020'' and inserting ''fiscal year 2019, fiscal year 2020, or fiscal year 2021''.

(c) CERTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate that no United States military forces are being used or have been used for the extraction, transport, transfer, or sale of oil from Syria.

SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

Section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) in subsections (c) and (d), by striking ''fiscal year 2020'' each place it appears and inserting ''each of fiscal years 2020 and 2021''; and

(2) in subsection (h), by striking ''Of the amount made available for fiscal year 2020 to carry out section 1215 of the National Defense Authorization Act for Fiscal Year 2012, not more than $20,000,000'' and inserting ''Of the amounts made available for fiscal years 2020 and 2021 to carry out this section, not more than $20,000,000 for each such fiscal year''.

SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND OTHER FORMS OF SUPPORT TO CERTAIN ORGANIZATIONS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021 may be used to knowingly provide weapons or any other form of support to Al Qaeda, the Islamic State of Iraq and Syria (ISIS), Jabhat Fateh al Sham, Hamas, Hizballah, Palestine Islamic Jihad, al-Shabaab, Islamic Revolutionary Guard Corps, or any individual or group affiliated with any such organization.

SEC. 1225. CONSOLIDATED BUDGET DISPLAY AND REPORT ON OPERATION SPARTAN SHIELD.

(a) BUDGET DISPLAY SUBMISSION.—

(1) IN GENERAL.—The Secretary of Defense shall include in the budget materials submitted by the Secretary in support of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023 a detailed budget display for funds requested for the Department of Defense for such fiscal year for Operation Spartan Shield and Iran deterrence-related programs and activities of the Department of Defense in the United States Central Command area of operation.

(2) MATTERS TO BE INCLUDED.—The detailed budget display required under paragraph (1) shall include the following:

(A) With respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amount.

(B) With respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount.

(C) With respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of the specific manner in which each such amount would be used.

(D) With respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount.

(E) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter in conjunction with the submission of the budget of President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on Operation Spartan Shield.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) should include—

(A)(i) for the first report, a history of the operation and its objectives; and

(ii) for each subsequent report, a description of the operation and its objectives during the prior year;

(B) a list and description of significant activities and exercises carried out under the operation during the prior year;

(C) a description of the purpose and goals of such activities and exercises and an assessment of the degree to which stated goals were achieved during the prior year;

(D) a description of criteria used to judge the effectiveness of joint exercises to build partner capacity under the operation during the prior year;

(E) an identification of incremental and estimated total costs of the operation during the prior year, including a separate identification of incremental costs of increased force presence in the United States Central Command area of responsibility to counter Iran since May 2019; and

(F) any other matters the Secretary determines appropriate.

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

SEC. 1226. SENSE OF CONGRESS ON PESHMERGA FORCES AS A PARTNER IN OPERATION INHERENT RESOLVE.

It is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have made, and continue to make, significant contributions to the security of Northern Iraq, by defending nearly 650 miles of critical terrain, to degrade, dismantle, and ultimately defeat the Islamic State of Iraq and Syria (ISIS) in Iraq as a partner in Operation Inherent Resolve;

(2) although ISIS has been severely degraded, their ideology and combatants still linger and pose a threat of resurgence if regional security is not sustained;

(3) a strong Peshmerga and Kurdistan Regional Government is critical to maintaining a stable and tolerant Iraq in which all faiths, sects, and ethnicities are afforded equal protection under the law and full integration into the Government and society of Iraq;

(4) continued security assistance, as appropriate, to the Ministry of Peshmerga Affairs of the Kurdistan Region of Iraq in support of counter-ISIS operations, in coordination with the Government of Iraq, is critical to United States national security interests; and

(5) continued United States support to the Peshmerga, coupled with security sector reform in the region, will enable them to more effectively partner with other elements of the Iraqi Security Forces, the United States, and other coalition members to consolidate gains, hold territory, and protect infrastructure from ISIS and its affiliates in an effort to deal a lasting defeat to ISIS and prevent its reemergence in Iraq.

Subtitle D—Matters Relating to Russia

SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary of Defense—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits a notification of the waiver, at the time the waiver is invoked, to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1232. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488), is amended by striking '', 2019, or 2020'' and inserting ''2019, 2020, or 2021''.

SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) IN GENERAL.—Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''50 percent of the funds available for fiscal year 2020 pursuant to subsection (f)(5)'' and inserting ''50 percent of the funds available for fiscal year 2021 pursuant to subsection (f)(6)''; and

(B) in paragraph (3), by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(C) in paragraph (5), by striking ''Of the funds available for fiscal year 2020 pursuant to subsection (f)(5)'' and inserting ''Of the funds available for fiscal year 2021 pursuant to subsection (f)(6)'';

(2) in subsection (f), by adding at the end the following:

''(6) For fiscal year 2021, $250,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592) is amended by striking ''January 31, 2021'' and inserting ''December 31, 2023''.

SEC. 1234. UNITED STATES PARTICIPATION IN THE OPEN SKIES TREATY.

(a) NOTIFICATION REQUIRED.—

(1) IN GENERAL.—Upon withdrawal of the United States from the Open Skies Treaty pursuant to Article XV of the Treaty, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees—

(A) a notification that the United States has concluded agreements with other state parties to the Treaty that host United States military forces and assets to ensure that after such withdrawal the United States will be provided sufficient notice by such state parties of requests for observation flights over the territories of such state parties under the Treaty; or

(B) if the United States has not concluded the agreements described in subparagraph (A), a description of how the United States will consistently and reliably be provided with sufficient warning of observation flights described in subparagraph (A) by other means, including a description of assets and personnel and policy implications of using such other means.

(2) SUBMISSION OF AGREEMENTS.—Upon withdrawal of the United States from the Open Skies Treaty pursuant to Article XV of the Treaty, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees copies of the agreements described in paragraph (1)(A).

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State, in coordination with the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, shall jointly submit to the appropriate congressional committees a report on the effects of a potential withdrawal of the United States from the Open Skies Treaty.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of how the United States will replace benefits of cooperation with United States allies under the Treaty.

(B) A description of—

(i) how the United States will obtain unclassified, publicly-releasable imagery it currently receives under the Treaty;

(ii) if national technical means are used as a replacement to obtain such imagery—

(I) how the requirements satisfied by collection under the Treaty will be prioritized within the National Intelligence Priorities Framework;

(II) a plan to mitigate any gaps in collection; and

(III) requirements and timelines for declassification of data for public release; and

(iii) if commercial imagery is used as a replacement to obtain such imagery—

(I) contractual actions and associated timelines needed to purchase such imagery;

(II) costs to purchase commercial imagery equivalent to that which is obtained under the Treaty; and

(III) estimates of costs to share that data with other state parties to the Treaty that are United States partners.

(C) A description of how the United States will replace intelligence information, other than imagery, obtained under the Treaty.

(D) A description of how the United States will ensure continued dialogue with Russia in a manner similar to formal communications as confidence-building measures to reinforce strategic stability required under the Treaty.

(E) All unedited responses to the questionnaire provided to United States allies by the United States in 2019 and all official statements provided to the United States by United States allies in 2019 or 2020 relating to United States withdrawal from the Treaty.

(F) An assessment of the impact of such withdrawal on—

(i) United States leadership in the North Atlantic Treaty Organization (NATO); and

(ii) cohesion and cooperation among NATO member states.

(G) A description of options to continue confidence-building measures under the Treaty with other state parties to the Treaty that are United States allies.

(H) An assessment of the Defense Intelligence Agency of the impact on national security of such withdrawal.

(I) An assessment of how the United States will influence decisions regarding certifications of new sensors, primarily synthetic aperture radar sensors, under the Treaty that could pose additional risk to deployed United States military forces and assets.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) OBSERVATION FLIGHT.—The term ''observation flight'' has the meaning given such term in Article II of the Open Skies Treaty.

(3) OPEN SKIES TREATY; TREATY.—The term ''Open Skies Treaty'' or ''Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

Subtitle E—Matters Relating to Europe and NATO

SEC. 1241. LIMITATIONS ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE STATIONED IN GERMANY, TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES STATIONED IN EUROPE, AND TO DIVEST MILITARY INFRASTRUCTURE IN EUROPE.

(a) LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE STATIONED IN GERMANY.—None of the funds authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2021, to take any action to reduce the total number of members of the Armed Forces serving on active duty who are stationed in Germany below the levels present on June 10, 2020, until 180 days after the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have separately submitted to the congressional defense committees the following:

(1) A certification that—

(A) such a reduction is in the national security interest of the United States and will not significantly undermine the security of the United States or its allies in the region, including a justification explaining the analysis behind the certification; and

(B) the Secretary has appropriately consulted with United States allies and partners in Europe, including all members of the North Atlantic Treaty Organization (NATO), regarding such a reduction.

(2) A detailed analysis of the impact such a reduction would have on the security of United States allies and partners in Europe and on interoperability and joint activities with such allies and partners, including major military exercises.

(3) A detailed analysis of the impact such a reduction would have on the ability to deter Russian aggression and ensure the territorial integrity of United States allies and partners in Europe.

(4) A detailed analysis of the impact such a reduction would have on the ability to counter Russian malign activity.

(5) A detailed analysis of where the members of the Armed Forces will be moved and stationed as a consequence of such a reduction.

(6) A detailed plan for how such a reduction would be implemented.

(7) A detailed analysis of the cost implications of such a reduction, to include the cost associated with new facilities to be constructed at the location to which the members of the Armed Forces are to be moved and stationed.

(8) A detailed analysis of the impact such a reduction would have on United States service members and their families stationed in Europe.

(9) A detailed analysis of the impact such a reduction would have on Joint Force Planning.

(10) A detailed explanation of the impact such a reduction would have on implementation of the National Defense Strategy and a certification that the reduction would not negatively affect implementation of the National Defense Strategy.

(b) LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES STATIONED IN EUROPE.—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2021, to reduce the total number of members of the Armed Forces serving on active duty who are stationed in Europe below the levels present on June 10, 2020, until 180 days after the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have separately submitted to the congressional defense committees the following:

(1) A certification that—

(A) such a reduction is in the national security interest of the United States and will not significantly undermine the security of the United States or its allies in the region, including a justification explaining the analysis behind the certification.

(B) the Secretary has appropriately consulted with United States allies and partners in Europe, including all members of NATO, regarding such a reduction.

(2) A detailed analysis of the impact such a reduction would have on the security of United States allies and partners in Europe and on interoperability and joint activities with such allies and partners, including major military exercises.

(3) A detailed analysis of the impact such a reduction would have on the ability to deter Russian aggression and ensure the territorial integrity of United States allies and partners in Europe.

(4) A detailed analysis of the impact such a reduction would have on the ability to counter Russian malign activity.

(5) A detailed analysis of where the forces will be moved and stationed as a consequence of such a reduction.

(6) A detailed plan for how such a reduction would be implemented.

(7) A detailed analysis of the cost implications of such a reduction, to include the cost associated with new facilities to be constructed at the location to which the members of the Armed Forces are to be moved and stationed.

(8) A detailed analysis of the impact such a reduction would have on service members and their families stationed in Europe.

(9) A detailed analysis of the impact such a reduction would have on Joint Force Planning.

(10) A detailed explanation of the impact such a reduction would have on implementation of the National Defense Strategy and a certification that the reduction would not negatively affect implementation of the National Defense Strategy.

(c) LIMITATION TO DIVEST MILITARY INFRASTRUCTURE IN EUROPE.—

(1) IN GENERAL.—The Secretary of Defense may not take any action to divest any infrastructure or real property in Europe under the

operational control of the Department of Defense unless, prior to taking such action, the Secretary certifies to the congressional defense committees that no military requirement for future use of the infrastructure or real property is foreseeable.

(2) SUNSET.—This subsection shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDINATED ACTION TO ENSURE THE SECURITY OF BALTIC ALLIES.

It is the sense of Congress that—

(1) the continued security of the Baltic states of Estonia, Latvia, and Lithuania is critical to achieving United States national security interests and defense objectives against the acute and formidable threat posed by Russia;

(2) the United States and the Baltic states are leaders in the mission of defending independence and democracy from aggression and in promoting stability and security within the North Atlantic Treaty Organization (NATO), with non-NATO partners, and with other international organizations such as the European Union;

(3) the Baltic states are model NATO allies in terms of burden sharing and capital investment in materiel critical to United States and allied security, investment of over 2 percent of their gross domestic product on defense expenditure, allocating over 20 percent of their defense budgets on capital modernization, matching security assistance from the United States, frequently deploying their forces around the world in support of allied and United States objectives, and sharing diplomatic, technical, military, and analytical expertise on defense and security matters;

(4) the United States should continue to strengthen bilateral and multilateral defense by, with, and through allied nations, particularly those which possess expertise and dexterity but do not enjoy the benefits of national economies of scale;

(5) the United States should pursue consistent efforts focused on defense and security assistance, coordination, and planning designed to ensure the continued security of the Baltic states and on deterring current and future challenges to the national sovereignty of United States allies and partners in the Baltic region; and

(6) such an initiative should include an innovative and comprehensive conflict deterrence strategy for the Baltic region encompassing the unique geography of the Baltic states, modern and diffuse threats to their land, sea, and air spaces, and necessary improvements to their defense posture, including command-and-control infrastructure, intelligence, surveillance, and reconnaissance capabilities, communications equipment and networks, and special forces.

SEC. 1243. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic countries of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic countries of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Deterrence Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic countries, into a common defense framework.

(4) All three Baltic countries contributed to the NATO-led International Security Assistance Force in Afghanistan, sending troops and operating with few caveats. The Baltic countries continue to commit resources and troops to the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic countries; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

SEC. 1244. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the former International Security Assistance Force (ISAF) and the current Resolute Support Mission led by the North Atlantic Treaty Organization (NATO) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Deterrence Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner, Georgia is committed to the Resolute Support Mission in Afghanistan with the fifth-largest contingent on the ground.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) reaffirm support for an enduring strategic partnership between the United States and Georgia;

(2) support Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation;

(3) continue support for multi-domain security assistance for Georgia in the form of lethal and non-lethal measures to build resiliency, bolster deterrence against Russian aggression, and promote stability in the region, by—

(A) strengthening defensive capabilities and promote readiness; and

(B) improving interoperability with NATO forces; and

(4) further enhance security cooperation and engagement with Georgia and other Black Sea regional partners.

SEC. 1245. SENSE OF CONGRESS ON BURDEN SHARING BY PARTNERS AND ALLIES.

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

(1) The United States' alliances and other critical defense partnerships are a cornerstone of Department of Defense (DOD) efforts to deter aggression from our adversaries, counter violent extremism, and preserve United States national security interests in the face of challenges to those interests by Russia, China and other actors.

(2) The North Atlantic Treaty Organization (NATO) is the most successful military alliance in history, having deterred war between major state powers for more than 70 years.

(3) Collective security and the responsibility of each member of the security of the other members as well as the alliance as a whole is a pillar of the NATO alliance.

(4) NATO members other than the United States collectively expend over $300,000,000,000 in defense investments annually and maintain military forces totaling an estimated 1,900,000 service members, bolstering the alliance's collective capacity to counter shared threats.

(5) At the NATO Wales Summit in 2014, NATO members pledged to strive to increase their own defense spending to 2 percent of their respective gross domestic products and to spend at least 20 percent of their defense budgets on equipment by 2024 as part of their burden sharing commitments.

(6) Since 2014, there has been a steady increase in allied defense spending, with 22 member countries meeting defense spending targets in 2018 and having submitted plans to meet the targets by 2024.

(7) In addition to individual defense spending contributions, NATO allies and partners also contribute to NATO and United States operations around the world, including the Resolute Support Mission in Afghanistan and the Global Coalition to Defeat the Islamic State in Iraq and Syria (ISIS).

(8) South Korea hosts a baseline of 28,500 United States forces including the Eighth Army and Seventh Air Force.

(9) South Korea maintains Aegis Ballistic Missile Defense and Patriot Batteries that contribute to regional Ballistic Missile Defense, is a participant in the Enforcement Coordination Center, and is a significant contributor to United Nations peacekeeping operations.

(10) South Korea is an active consumer of United States Foreign Military Sales (FMS) with approximately $30,500,000,000 in active FMS cases and makes significant financial contributions to support forward deployed United States forces in South Korea, including contributions of $924,000,000 under the Special Measures Agreement in 2019 and over 90 percent of the cost of developing Camp Humphreys.

(11) Japan hosts 54,000 United States forces including the Seventh Fleet, the only forward-deployed United States aircraft carrier, and the United States Marine Corps' III Marine Expeditionary Force.

(12) Japan maintains Aegis Ballistic Missile Defense and Patriot Batteries that contribute to regional Ballistic Missile Defense, conducts bilateral presence operations and mutual asset protection missions with United States forces, and is a capacity building contributor to United Nations peacekeeping operations.

(13) Japan is an active consumer of United States FMS with approximately $28,400,000,000 in active FMS cases and makes significant financial contributions to enable optimized United States military posture, including contributions of approximately $2,000,000,000 annually under the Special Measures Agreement, $187,000,000 annually under the Japan Facilities Improvement Program, $12,100,000,000 for the Futenma Replacement Facility, $4,800,000,000 for Marine Corps Air Station Iwakuni, and $3,100,000,000 for construction on Guam to support the movement of United States Marines from Okinawa.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should focus on United States national security requirements for investment in forward presence, joint exercises, investments, and commitments that contribute to the security of the United States and collective security, and cease efforts that solely focus on the financial contributions of United States allies and partners when negotiating joint security arrangements;

(2) the United States must continue to strengthen its alliances and security partnerships with like-minded democracies around the world to deter aggression from authoritarian competitors and promote peace and respect for democratic values and human rights around the world;

(3) United States partners and allies should continue to increase their military capacity and enhance their ability to contribute to global peace and security;

(4) NATO allies should continue working toward their 2014 Wales Defense Investment Pledge commitments;

(5) the United States should maintain forward-deployed United States forces in order to better ensure United States national security and global stability; and

(6) alliances and partnerships are the cornerstone of United States national security and critical to countering the threat posed by malign actors to the post-World War II liberal international order.

SEC. 1246. SENSE OF CONGRESS ON NATO'S RESPONSE TO THE COVID–19 PANDEMIC.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been working with allies and partners to provide support to the civilian response to the Coronavirus Disease 2019 (commonly referred to as ''COVID–19'') pandemic, including logistics and planning, field hospitals, and transport, while maintaining NATO's operational readiness and continuing to carry out critical NATO missions.

(2) Since the beginning of the pandemic, NATO allies and partners have completed more than 350 airlift flights, supplying hundreds of tons of critical supplies globally, have built nearly 100 field hospitals and dedicated more than half a million troops to support the civilian response to the pandemic.

(3) NATO's Euro-Atlantic Disaster Response Coordination Centre has been operating 24 hours, seven days a week to coordinate requests for supplies and resources.

(4) The NATO Support and Procurement Agency's Strategic Airlift Capability and Strategic Airlift International Solution programs have chartered flights to transport medical supplies between partners and allies.

(5) NATO established Rapid Air Mobility to speed up military air transport of medical supplies and resources to allies and partners experiencing a shortage of medical supplies and personal protective equipment.

(6) In June 2020, NATO Defense Ministers agreed to future steps to prepare for a potential second wave of the COVID–19 pandemic, including a new operation plan, establishing a stockpile of medical equipment and supplies, and a new fund to acquire medical supplies and services.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) NATO's response to the COVID–19 pandemic is an excellent example of the democratic alliance's capacity tackling overwhelming logistical challenges through close collaboration;

(2) the United States should remain committed to strengthening NATO's operational response to the pandemic; and

(3) the United States should fulfill its commitments made at the 2020 NATO Defense Ministerial and continue to bolster the work of the Euro-Atlantic Disaster Response Coordination Centre, the NATO Support and Procurement Agency's Strategic Airlift Capability and Strategic Airlift International Solution programs, and other efforts to utilize NATO's capabilities to support the civilian pandemic response.

Subtitle F—Matters Relating to the Indo-Pacific Region

SEC. 1251. INDO-PACIFIC REASSURANCE INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a stable, peaceful, and secure Indo-Pacific region is vital to United States economic and national security;

(2) revisionist states, rogue states, violent extremist organizations, and natural and man-made disasters are persistent challenges to regional stability and security;

(3) maintaining stability and upholding a rules-based order requires a holistic United States strategy that—

(A) synchronizes all elements of national power;

(B) is inclusive of United States allies and partner countries; and

(C) ensures a persistent, predictable United States presence to reinforce regional defense;

(4) enhancing regional defense requires robust efforts to increase capability, readiness, and responsiveness to deter and mitigate destabilizing activities;

(5) the Department of Defense should pursue an integrated program of activities to—

(A) reassure United States allies and partner countries in the Indo-Pacific region;

(B) appropriately prioritize activities and resources to implement the National Defense Strategy; and

(C) enhance the ability of Congress to provide oversight of and support to Department of Defense efforts;

(6) an integrated, coherent, and strategic program of activities in the Indo-Pacific region, similar to the European Deterrence Initiative (originally the European Reassurance Initiative), will enhance United States presence and positioning, allow for additional exercises, improve infrastructure and logistics, and build allied and partner capacity to deter aggression, strengthen ally and partner interoperability, and demonstrate United States commitment to Indo-Pacific countries;

(7) an integrated, coherent, and strategic program of activities in the Indo-Pacific region will also assist in resourcing budgetary priorities and enhancing transparency and oversight of programs and activities to better enable a coordinated and strategic plan for Department of Defense programs;

(8) not less than $3,578,360,000 of base funding should be allocated to fully support such program of activities in fiscal year 2021; and

(9) the Department of Defense should ensure adequate, consistent planning is conducted for future funding and build upon the activities identified in fiscal year 2021 in future budget requests, as appropriate.

(b) INDO-PACIFIC REASSURANCE INITIATIVE.—The Secretary of Defense shall carry out a program of prioritized activities to reassure United States allies and partner countries in the Indo-Pacific region that shall be known as the ''Indo-Pacific Reassurance Initiative'' (in this section referred to as the ''Initiative'').

(c) OBJECTIVES.—The objectives of the Initiative shall include reassuring United States allies and partner countries in the Indo-Pacific region by—

(1) optimizing the presence of United States Armed Forces in the region;

(2) strengthening and maintaining bilateral and multilateral military exercises and training with such countries;

(3) improving infrastructure in the region to enhance the responsiveness of United States Armed Forces;

(4) enhancing the prepositioning of equipment and materiel in the region; and

(5) building the defense and security capabilities, capacity, and cooperation of such countries.

(d) PLAN RELATING TO TRANSPARENCY FOR THE INDO-PACIFIC REASSURANCE INITIATIVE.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than February 1, 2022, and annually thereafter, the Secretary of Defense, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a future years plan on activities and resources of the Initiative.

(B) APPLICABILITY.—The plan shall apply to the Initiative with respect to the first fiscal year beginning after the date of submission of the plan and at least the four succeeding fiscal years.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include each of the following:

(A) A summary of progress made towards achieving the objectives of the Initiative.

(B) An assessment of resource requirements to achieve such objectives.

(C) An assessment of capabilities requirements to achieve such objectives.

(D) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve such objectives.

(E) An identification of the intended force structure and posture of the assigned and allocated forces within the area of responsibility of the United States Indo-Pacific Command for the last fiscal year of the plan and the manner in which such force structure and posture support such objectives.

(F) An identification and assessment of required infrastructure and military construction investments to achieve such objectives, including potential infrastructure investments proposed by host countries, new construction or modernization of existing sites that would be funded by the United States, and a master plan that includes the following:

(i) A list of specific locations, organized by country, in which the Commander of the United States Indo-Pacific Command anticipates requiring infrastructure investments to support an enduring or periodic military presence in the region.

(ii) A list of specific infrastructure investments required at each location identified under clause (i), to include the project title and estimated cost of each project.

(iii) A brief explanation for how each location identified under clause (i) and infrastructure investments identified under clause (ii) support a validated requirement or component of the overall strategy in the region.

(iv) A discussion of any gaps in the current infrastructure authorities that would preclude implementation of the infrastructure investments identified under clause (ii).

(v) A description of the type and size of military force elements that would maintain an enduring presence or operate periodically from each location identified under clause (i).

(vi) A summary of kinetic and non-kinetic vulnerabilities for current locations and each location identified in clause (i), to include—

(I) the level of risk associated with each vulnerability; and

(II) the proposed mitigations and projected costs to address each such vulnerability, to include—

(aa) hardening and other resilience measures;

(bb) active and passive counter-Intelligence, Surveillance, and Reconnaissance;

(cc) active and passive counter Positioning, Navigation, and Timing;

(dd) air and missile defense capabilities;

(ee) enhanced logistics and sea lines of communication security; and

(ff) other issues identified by the Commander of the United States Indo-Pacific Command.

(G) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, fuel storage and distribution, and maintenance requirements, to achieve such objectives.

(H) An analysis of the challenges to the ability of the United States to deploy significant forces from the continental United States to the Indo-Pacific theater in the event of a major contingency, and a description of the plans of the Department of Defense, including military exercises, to address such challenges.

(I) An assessment and plan for security cooperation investments to enhance such objectives.

(J) A plan to resource United States force posture and capabilities, including—

(i) the infrastructure capacity of existing locations and their ability to accommodate additional United States forces in the Indo-Pacific region;

(ii) the potential new locations for additional United States Armed Forces in the Indo-Pacific region, including an assessment of infrastructure and military construction resources necessary to accommodate such forces;

(iii) a detailed timeline to achieve desired posture requirements;

(iv) a detailed assessment of the resources necessary to achieve the requirements of the plan, including specific cost estimates for each project under the Initiative to support optimized presence, exercises and training, enhanced prepositioning, improved infrastructure, and building partnership capacity; and

(v) a detailed timeline to achieve the force posture and capabilities, including force requirements.

(K) A detailed explanation of any significant modifications of the requirements or resources, as compared to plans previously submitted under paragraph (1).

(L) Any other matters the Secretary of Defense determines should be included.

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

(e) BUDGET SUBMISSION INFORMATION.—For fiscal year 2022 and each fiscal year thereafter, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code)—

(1) the amounts, by budget function and as a separate item, requested for the Department of Defense for such fiscal year for all programs and activities under the Initiative; and

(2) a detailed budget display for the Initiative, including—

(A) with respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amounts;

(B) with respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount;

(C) with respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of how such amounts will specifically be used;

(D) with respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount; and

(E) with respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

(f) END OF FISCAL YEAR REPORT.—Not later than November 20, 2022, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report that contains—

(1) a detailed summary of funds obligated for the Initiative during the preceding fiscal year; and

(2) a detailed comparison of funds obligated for the Initiative during the preceding fiscal year to the amount of funds requested for the Initiative for such fiscal year in the materials submitted to Congress by the Secretary in support of the budget of the President for that fiscal year as required by subsection (e), including with respect to each of the accounts described in subparagraphs (A), (B), (C), (D), and (E) of subsection (e)(2) and the information required under each such subparagraph.

(g) BRIEFINGS REQUIRED.—Not later than March 1, 2023, and annually thereafter, the Secretary of Defense shall provide to the congressional defense committees a briefing on the status of all matters covered by the report required by section (f).

(h) RELATIONSHIP TO BUDGET.—Nothing in this section shall be construed to affect section 1105(a) of title 31, United States Code.

(i) CONFORMING REPEAL.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1676) is repealed.

SEC. 1252. LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO SOUTH KOREA.

None of the funds authorized to be appropriated by this Act may be used to reduce the total number of members of the Armed Forces serving on active duty who are deployed to South Korea below 28,500 until 180 days after the date on which the Secretary of Defense certifies to the congressional defense committees the following:

(1) Such a reduction is in the national security interest of the United States and will not significantly undermine the security of United States allies in the region.

(2) Such a reduction is commensurate with a reduction in the threat posed to the United States and its allies in the region by the Democratic People's Republic of Korea.

(3) Following such a reduction, the Republic of Korea would be capable of deterring a conflict on the Korean Peninsula.

(4) The Secretary has appropriately consulted with allies of the United States, including South Korea and Japan, regarding such a reduction.

SEC. 1253. IMPLEMENTATION OF GAO RECOMMENDATIONS ON PREPAREDNESS OF UNITED STATES FORCES TO COUNTER NORTH KOREAN CHEMICAL AND BIOLOGICAL WEAPONS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop a plan to address the recommendations in the U.S. Government Accountability Office's report entitled ''Preparedness of U.S. Forces to Counter North Korean Chemical and Biological Weapons'' (GAO-20-79C).

(2) ELEMENTS.—The plan required under paragraph (1) shall, with respect to each recommendation in the report described in paragraph (1) that the Secretary of Defense has implemented or intends to implement, include—

(A) a summary of actions that have been or will be taken to implement the recommendation; and

(B) a schedule, with specific milestones, for completing implementation of the recommendation.

(b) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the plan required under subsection (a).

(c) DEADLINE FOR IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall carry out activities to implement the plan developed under subsection (a).

(2) EXCEPTION FOR IMPLEMENTATION OF CERTAIN RECOMMENDATIONS.—

(A) DELAYED IMPLEMENTATION.—The Secretary of Defense may initiate implementation of a recommendation in the report described in subsection (a)(1) after the date specified in paragraph (1) if the Secretary provides the congressional defense committees with a specific justification for the delay in implementation of such recommendation on or before such date.

(B) NONIMPLEMENTATION.—The Secretary of Defense may decide not to implement a recommendation in the report described in subsection (a)(1) if the Secretary provides to the congressional defense committees, on or before the date specified in paragraph (1)—

(i) a specific justification for the decision not to implement the recommendation; and

(ii) a summary of alternative actions the Secretary plans to take to address the conditions underlying the recommendation.

SEC. 1254. PUBLIC REPORTING OF CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

(a) DETERMINATION OF OPERATIONS.—Not later than 1 year after the date of the enactment of this Act, and on an ongoing basis thereafter, the Secretary of Defense shall identify each entity the Secretary determines, based on the most recent information available, is—

(1)(A) directly or indirectly owned, controlled, or beneficially owned by, or in an official or unofficial capacity acting as an agent of or on behalf of, the People's Liberation Army or any of its affiliates; or

(B) identified as a military-civil fusion contributor to the Chinese defense industrial base;

(2) engaged in providing commercial services, manufacturing, producing, or exporting; and

(3) operating directly or indirectly in the United States, including any of its territories and possessions.

(b) SUBMISSION; PUBLICATION.—

(1) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate an updated list of each entity determined to be a Chinese military company pursuant to subsection (a), in classified and unclassified forms.

(2) PUBLICATION.—Concurrent with the submission of a list under paragraph (1), the Secretary shall publish the unclassified portion of such list in the Federal Register.

(c) CONSULTATION.—The Secretary may consult with the head of any appropriate Federal department or agency in making the determinations required under subsection (a) and shall transmit a copy of each list submitted under subsection (b)(1) to the heads of each appropriate Federal department and agency.

(d) DEFINITIONS.—

(1) MILITARY-CIVIL FUSION CONTRIBUTOR.—In this section, the term ''military-civil fusion contributor'' includes—

(A) entities receiving assistance from the Government of China through science and technology efforts initiated under the Chinese military industrial planning apparatus;

(B) entities affiliated with the Chinese Ministry of Industry and Information Technology, including entities connected through Ministry schools, research partnerships, and state-aided science and technology projects;

(C) entities receiving assistance from the Government of China or operational direction or policy guidance from the State Administration for Science, Technology and Industry for National Defense;

(D) entities recognized and awarded with receipt of an innovation prize for science and technology by such State Administration;

(E) any other entity or subsidiary defined as a ''defense enterprise'' by the Chinese State Council; and

(F) entities residing in or affiliated with a military-civil fusion enterprise zone or receiving assistance from the Government of China through such enterprise zone.

(2) PEOPLE'S LIBERATION ARMY.—The term ''People's Liberation Army'' means the land,

naval, and air military services, the police, and the intelligence services of the Government of China, and any member of any such service or of such police.

SEC. 1255. INDEPENDENT STUDY ON THE DEFENSE INDUSTRIAL BASE OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the defense industrial base of the People's Republic of China.

(b) ELEMENTS OF STUDY.—The study required under subsection (a) shall assess the resiliency and capacity of China's defense industrial base to support its objectives in competition and conflict, including with respect to the following:

(1) The manufacturing capacity and physical plant capacity of the defense industrial base, including its ability to modernize to meet future needs.

(2) Gaps in national-security-related domestic manufacturing capabilities, including non-existent, extinct, threatened, and single-point-of-failure capabilities.

(3) Supply chains with single points of failure or limited resiliency, especially suppliers at third-tier and lower.

(4) Energy consumption and vulnerabilities.

(5) Domestic education and manufacturing workforce skills.

(6) Exclusive or dominant supply of military and civilian materiel, raw materials, or other goods (or components thereof) essential to China's national security by the United States or United States allies and partners.

(7) The ability to meet the likely repair and new construction demands of the People's Liberation Army in the event of a protracted conflict.

(8) The availability of substitutes or alternative sources for goods identified pursuant to paragraph (6).

(9) Recommendations for legislative, regulatory, and policy changes and other actions by the President and the heads of Federal agencies as appropriate based upon a reasoned assessment that the benefits outweigh the costs (broadly defined to include any economic, strategic, and national security benefits or costs) over the short, medium, and long-term to erode, in the event of a conflict, the ability of China's defense industrial base to support the national objectives of China.

(c) SUBMISSION TO DEPARTMENT OF DEFENSE.—Not later than 210 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the Secretary a report containing the study conducted under subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than 240 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the report submitted to the Secretary under subsection (c), without change but with any comments of the Secretary with respect to the report.

SEC. 1256. REPORT ON CHINA'S ONE BELT, ONE ROAD INITIATIVE IN AFRICA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the military and defense implications of China's One Belt, One Road Initiative in Africa and a strategy to address impacts on United States military and defense interests in Africa.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of Chinese dual-use investments in Africa, including a description of which investments that are of greatest concern to United States military or defense interests.

(2) A description of such investments that are associated with People's Liberation Army cooperation with African countries.

(3) An assessment of the potential military, intelligence, and logistical threats facing United States' key regional military infrastructure, supply chains, and staging grounds due to such investments.

(4) An identification of Department of Defense measures taken to mitigate the risk posed to United States forces and defense interests by such investments.

(5) A strategy to address ongoing military and defense implications posed by the expansion of such investments.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and Select Committee on Intelligence of the Senate.

(2) CHINESE DUAL-USE INVESTMENTS IN AFRICA.—The term ''Chinese dual-use investments in Africa'' means investments made by the Government of the People's Republic of China, the Chinese Communist Party, or companies owned or controlled by such Government or Party in the infrastructure of African countries or related projects for both commercial and military or proliferation purposes.

(d) FORM.—The report required by subsection (a) shall—

(1) be submitted in unclassified form but may contain a classified annex; and

(2) be made available to the public on the website of the Department of Defense.

SEC. 1257. SENSE OF CONGRESS ON ENHANCEMENT OF THE UNITED STATES-TAIWAN DEFENSE RELATIONSHIP.

It is the sense of Congress that—

(1) Taiwan is a vital partner of the United States and is critical to a free and open Indo-Pacific region;

(2) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the ''Six Assurances'' are both cornerstones of United States relations with Taiwan;

(3) the United States should continue to strengthen defense and security cooperation with Taiwan to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability;

(4) consistent with the Taiwan Relations Act, the United States should strongly support the acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on anti-ship, coastal defense, anti-armor, air defense, defensive naval mining, and resilient command and control capabilities that support the asymmetric defense strategy of Taiwan;

(5) the President and Congress should determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan, as required by the Taiwan Relations Act and in accordance with procedures established by law;

(6) the United States should continue efforts to improve the predictability of United States arms sales to Taiwan by ensuring timely review of and response to requests of Taiwan for defense articles and services;

(7) the Secretary of Defense should promote policies concerning exchanges that enhance the security of Taiwan, including—

(A) opportunities with Taiwan for practical training and military exercises that—

(i) enable Taiwan to maintain a sufficient self-defense capability, as described in section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)); and

(ii) emphasize capabilities consistent with the asymmetric defense strategy of Taiwan;

(B) exchanges between senior defense officials and general officers of the United States and Taiwan, consistent with the Taiwan Travel Act (Public Law 115–135), especially for the purpose of enhancing cooperation on defense planning and improving the interoperability of United States and Taiwan forces; and

(C) opportunities for exchanges between junior officers and senior enlisted personnel of the United States and Taiwan;

(8) the Secretary of Defense should consider expanded air and naval engagements and training with Taiwan to enhance regional security;

(9) the United States and Taiwan should expand cooperation in humanitarian assistance and disaster relief including conducting port calls in Taiwan with the United States Naval Ship Comfort and United States Naval Ship Mercy;

(10) the Secretary of Defense should consider options, including exercising ship visits and port calls, as appropriate, to expand the scale and scope of humanitarian assistance and disaster response cooperation with Taiwan and other regional partners so as to improve disaster response planning and preparedness;

(11) the Secretary of Defense should continue regular transits of United States Navy vessels through the Taiwan Strait and encourage allies and partners to follow suit in conducting such transits to demonstrate the commitment of the United States and its allies and partners to fly, sail, and operate anywhere international law allows;

(12) the violation of international law by the Government of China with respect to the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984, is gravely concerning and erodes international confidence in China's willingness to honor its international commitments, including not to change the status quo with respect to Taiwan by force;

(13) the increasingly coercive and aggressive behavior of China towards Taiwan, including growing military maneuvers targeting Taiwan, is contrary to the expectation of the peaceful resolution of the future of Taiwan; and

(14) the United States and Taiwan should expand consultation and cooperation on combating the Coronavirus Disease 2019 (''COVID–19'') and seek to share the best practices and cooperate on a range of activities under this partnership.

SEC. 1258. REPORT ON SUPPLY CHAIN SECURITY COOPERATION WITH TAIWAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the head of each appropriate Federal department and agency, shall submit to the congressional defense committees a report on the following:

(1) The feasibility of establishing a high-level, interagency United States-Taiwan working group for coordinating cooperation related to supply chain security.

(2) A discussion of the Department of Defense's current and future plans to engage with Taiwan with respect to activities ensuring supply chain security.

(3) A discussion of obstacles encountered in forming, executing, or implementing agreements with Taiwan for conducting activities to ensure supply chain security.

(4) Any other matters the Secretary of Defense determines should be included.

SEC. 1259. REPORT ON UNITED STATES-TAIWAN MEDICAL SECURITY PARTNERSHIP.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Health and Human Services, shall submit to the congressional defense committees a report on the following:

(1) The goals, objectives, and feasibility of developing a United States-Taiwan medical security partnership on issues related to pandemic preparedness and control.

(2) A discussion of current and future plans to engage with Taiwan in medical security activities.

(3) An evaluation of cooperation on a range of activities under the partnership to include—

(A) research and production of vaccines and medicines;

(B) joint conferences with scientists and experts;

(C) collaboration relating to and exchanges of medical supplies and equipment; and

(D) the use of hospital ships such as the United States Naval Ship Comfort and United States Naval Ship Mercy.

(4) Any other matters the Secretary of Defense determines appropriate.

Subtitle G—Other Matters

SEC. 1261. PROVISION OF GOODS AND SERVICES TO KWAJALEIN ATOLL.

(a) AUTHORITY FOR PROVISION OF GOODS AND SERVICES.—Chapter 767 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7596. Provision of goods and services to Kwajalein Atoll

''(a) AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Army may, subject to the concurrence of the Secretary of State as provided in paragraph (2), use any amounts appropriated to the Department of the Army to provide goods and services, including inter-atoll transportation, to the Government of the Republic of the Marshall Islands and to other eligible patrons at Kwajalein Atoll, under regulations and at rates to be prescribed by the Secretary of the Army in accordance with this section.

''(2) EFFECT ON COMPACT.—The Secretary of State may not concur to the provision of goods and services under paragraph (1) if the Secretary determines that such provision would be inconsistent with the Compact of Free Association between the Government of the United States of America and the Government of the Republic of the Marshall Islands (as set forth in title II of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq.)) or with any subsidiary agreement or implementing arrangement with respect to such Compact.

''(b) REIMBURSEMENT.—

''(1) AUTHORITY TO COLLECT REIMBURSEMENT.—The Secretary of the Army may collect reimbursement from the Government of the Republic of the Marshall Islands or eligible patrons for the provision of goods and services under this section in an amount that does not exceed the costs to the United States of providing such goods or services.

''(2) MAXIMUM REIMBURSEMENT.—The total amount collected in a fiscal year pursuant to the authority under paragraph (1) may not exceed $7,000,000.''.

(b) CLERICAL AMENDMENTS.—The table of contents for chapter 767 of title 10, United States Code, is amended by adding at the end the following new item:

''Sec. 7595. Provision of goods and services to Kwajalein Atoll.''.

SEC. 1262. ANNUAL BRIEFINGS ON CERTAIN FOREIGN MILITARY BASES OF ADVERSARIES.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130l. Annual briefings on certain foreign military bases of adversaries.

''(a) REQUIREMENT.—Not later than February 15 of each year, the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, acting through the Under Secretary of Defense for Intelligence and Security, shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a briefing on—

''(1) covered foreign military bases and the related capabilities of that foreign military; and

''(2) the effects of such bases and capabilities on—

''(A) the military installations of the United States located outside the United States; and

''(B) current and future deployments and operations of the armed forces of the United States.

''(b) ELEMENTS.—Each briefing under subsection (a) shall include the following:

''(1) An assessment of covered foreign military bases, including such bases established by China, Russia, and Iran, and any updates to such assessment provided in a previous briefing under such subsection.

''(2) Information regarding known plans for any future covered foreign military base.

''(3) An assessment of the capabilities, including those pertaining to anti-access and area denial, provided by covered foreign military bases to that foreign military, including an assessment of how such capabilities could be used against the armed forces of the United States in the country and the geographic combatant command in which such base is located.

''(4) A description of known ongoing activities and capabilities at covered foreign military bases, and how such activities and capabilities advance the foreign policy and national security priorities of the relevant foreign countries.

''(5) The extent to which covered foreign military bases could be used to counter the defense priorities of the United States.

''(c) FORM.—Each briefing under subsection (a) shall be provided in classified form.

''(d) COVERED FOREIGN MILITARY BASE DEFINED.—In this section, the term 'covered foreign military base' means, with respect to a foreign country that is an adversary of the United States, a military base of that country located in a different country.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''130l. Annual briefings on certain foreign military bases of adversaries.''.

SEC. 1263. REPORT ON PROGRESS OF THE DEPARTMENT OF DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI BY A STRATEGIC COMPETITOR AGAINST A COVERED DEFENSE PARTNER.

(a) DEFINITIONS.—In this section:

(1) COVERED DEFENSE PARTNER.—The term ''covered defense partner'' means a partner identified in the ''Department of Defense Indo-Pacific Strategy Report'' issued on June 1, 2019, located within 100 miles off the coast of a strategic competitor.

(2) FAIT ACCOMPLI.—The term ''fait accompli'' means the strategy of a strategic competitor designed to allow such strategic competitor to use military force to seize control of a covered defense partner before the United States Armed Forces are able to respond effectively.

(3) STRATEGIC COMPETITOR.—The term ''strategic competitor'' means a country labeled as a strategic competitor in the ''Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military's Competitive Edge'' issued by the Department of Defense pursuant to section 113 of title 10, United States Code.

(b) REPORT ON PROGRESS OF THE DEPARTMENT OF DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI BY A STRATEGIC COMPETITOR AGAINST A COVERED DEFENSE PARTNER.—

(1) IN GENERAL.—Not later than April 30 each year, beginning in 2021 and ending in 2026, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Department of Defense with respect to improving the ability of the United States Armed Forces to conduct combined joint operations to deny the ability of a strategic competitor to execute a fait accompli against a covered defense partner.

(2) MATTERS TO BE INCLUDED.—Each report under paragraph (1) shall include the following:

(A) An explanation of the objectives for the United States Armed Forces that would be necessary to deny the fait accompli by a strategic competitor against a covered defense partner.

(B) An identification of joint warfighting capabilities and current efforts to organize, train, and equip the United States Armed Forces in support of the objectives referred to in paragraph (1), including—

(i) an assessment of whether the programs included in the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code, are sufficient to enable the United States Armed Forces to conduct joint combined operations to achieve such objectives;

(ii) a description of additional investments or force posture adjustments required to maintain or improve the ability of the United States Armed Forces to conduct joint combined operations to achieve such objectives;

(iii) a description of the manner in which the Secretary of Defense intends to develop and integrate Army, Navy, Air Force, Marine Corps, and Space Force operational concepts to maintain or improve the ability of the United States Armed Forces to conduct joint combined operations to achieve such objectives; and

(iv) an assessment of the manner in which different options for pre-delegating authorities may improve the ability of the United States Armed Forces to conduct joint combined operations to achieve such objectives.

(C) An assessment of options for deterring limited use of nuclear weapons by a strategic competitor in the Indo-Pacific region without undermining the ability of the United States Armed Forces to maintain deterrence against other strategic competitors and adversaries.

(D) An assessment of a strategic competitor theory of victory for invading and unifying a covered defense partner with such a strategic competitor by military force.

(E) A description of the military objectives a strategic competitor would need to achieve in a covered defense partner campaign.

(F) A description of the military missions a strategic competitor would need to execute a covered defense partner invasion campaign, including—

(i) blockade and bombing operations;

(ii) amphibious landing operations; and

(iii) combat operations.

(G) An assessment of competing demands on a strategic competitor's resources and how such demands impact such a strategic competitor's ability to achieve its objectives in a covered defense partner campaign.

(H) An assessment of a covered defense partner's self-defense capability and a summary of defense articles and services that are required to enhance such capability.

(I) An assessment of the capabilities of partner and allied countries to conduct combined operations with the United States Armed Forces in a regional contingency.

(3) FORM.—Each report under paragraph (1) shall be submitted in classified form but may include an unclassified executive summary.

SEC. 1264. MODIFICATION TO REQUIREMENTS OF THE INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

(a) ENHANCED INFORMATION SHARING.—Subsection (d)(1) section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended by striking ''(other than basic research)''.

(b) PUBLICATION OF UPDATED LIST.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(4) PUBLICATION OF UPDATED LIST.—

''(A) IN GENERAL.—Not later than January 1, 2021, and annually thereafter, the Secretary shall submit to the congressional defense committees the most recently updated list described in subsection (c)(8) in unclassified form (but with a classified annex as applicable) and make the unclassified portion of each such list publicly available on an internet website in a searchable format.

''(B) INTERVENING PUBLICATION.—The Secretary may submit and publish an updated list described in subparagraph (A) more frequently than required by such subparagraph if the Secretary determines necessary.''.

SEC. 1265. REPORT ON DIRECTED USE OF FISHING FLEETS.

Not later than 180 days after the date of the enactment of this Act, the Commander of the Office of Naval Intelligence shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an unclassified report on the use of distant-water fishing fleets by foreign governments as extensions of such countries' official maritime security forces, including the manner and extent to which such fishing fleets are leveraged in support of naval operations and foreign policy more generally. The report shall also consider the threats, on a country-by-country basis, posed by such use of distant-water fishing fleets to—

(1) fishing or other vessels of the United States and partner countries;

(2) United States and partner naval and coast guard operations; and

(3) other interests of the United States and partner countries.

SEC. 1266. EXPANDING THE STATE PARTNERSHIP PROGRAM IN AFRICA.

The Secretary of Defense, in coordination with the Chief of the National Guard Bureau, shall seek to build partner capacity and interoperability in the United States Africa Command area of responsibility through increased partnerships with countries on the African continent, military-to-military engagements, and traditional activities of the combatant commands.

SEC. 1267. REPORT RELATING TO REDUCTION IN THE TOTAL NUMBER OF UNITED STATES ARMED FORCES DEPLOYED TO UNITED STATES AFRICA COMMAND AREA OF RESPONSIBILITY.

(a) REDUCTION DESCRIBED.—

(1) IN GENERAL.—If the Department of Defense reduces the number of United States Armed Forces deployed to the United States Africa Command area of responsibility (in this section referred to as ''AFRICOM AOR'') (other than United States Armed Forces described in paragraph (2)) to a number that is below 80 percent of the number deployed as of the day before the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall, not later than 90 days after date of such a reduction, submit to the appropriate congressional committees a report described in subsection (b).

(2) UNITED STATES ARMED FORCES DESCRIBED.—United States Armed Forces described in this paragraph are United States Armed Forces that are deployed to AFRICOM AOR but are not under the direct authority of the Commander of United States Africa Command, including—

(A) forces deployed in conjunction with other Commands;

(B) forces participating in joint exercises;

(C) forces identified for pre-planned activities;

(D) forces used to assist in emergency situations; and

(E) forces designated or assigned for diplomatic or embassy security.

(b) REPORT.—

(1) IN GENERAL.—A report described in this subsection is a report that includes each of the following:

(A) A strategic plan to—

(i) degrade each of the violent extremist organizations described in paragraph (2) within the AFRICOM AOR, to include an assessment of the extent to which such violent extremist organizations pose a direct threat to the United States; and

(ii) counter the military influence of China and Russia within the AFRICOM AOR.

(B) The average number of United States Armed Forces that are under the direct authority of the Commander of United States Africa Command and deployed to AFRICOM AOR and the amount of associated expenditures, to be listed by month for each of the fiscal years 2019 and 2020 and disaggregated by mission and country, to include those forces deployed to secure United States embassies.

(C) The average number of United States Armed Forces that are planned to be under the direct authority of the Commander of United States Africa Command and deployed to AFRICOM AOR and the amount of projected associated expenditures, to be listed by month for fiscal years 2021 and 2022 and disaggregated by mission and country, to include those forces deployed to secure United States embassies.

(D) The effect that a reduction described in subsection (a) would have on military and intelligence efforts to combat each of the violent extremist organizations described in paragraph (2), including a statement of the current objectives of the Secretary of Defense with respect to such efforts.

(E) A description of any consultation or coordination with the Department of State or the United States Agency for International Development with respect to such a reduction and the effect that such a reduction would have on diplomatic, developmental, or humanitarian efforts in Africa, including statements of the current objectives of the Secretary of State and the Administrator of the United States Agency for International Development with respect to such efforts.

(F) The strength, regenerative capacity, and intent of such violent extremist organizations in the AFRICOM AOR, including—

(i) an assessment of the number of fighters in the Sahel, the Horn of Africa, and West Africa who are members of such violent extremist organizations;

(ii) the threat such violent extremist organizations pose to host nations and United States allies and partners, and the extent to which such violent extremist organizations pose a direct threat to the United States; and

(iii) the likely reaction of such violent extremist organizations to the withdrawal of United States Armed Forces.

(G) The strategic risks involved with countering such violent extremist organizations following such a reduction.

(H) The operational risks involved with conducting United States led or enabled operations in Africa against such violent extremist organizations following such a reduction.

(I) For any region of the AFRICOM AOR in which United States Armed Forces currently are present or conduct activities, the effect such a reduction would have on power and influence of China and Russia in such region.

(J) Any consultation or coordination with United States allies and partners concerning such a reduction.

(K) An assessment of the response from the governments and military forces of France, the United Kingdom, and Canada to such a reduction.

(2) VIOLENT EXTREMIST ORGANIZATIONS DESCRIBED.—The violent extremist organizations described in this paragraph are adversarial groups and forces in the AFRICOM AOR, as determined by the Secretary of Defense.

(c) ADDITIONAL REPORTING REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that includes the information required by subsection (b)(1)(B).

(d) FORM.—The reports required by subsections (b) and (c) shall be submitted in unclassified form, but may contain a classified annex.

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

(1) the congressional defense committees (which has the meaning given the term in section 101(a)(16) of title 10, United States Code);

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(3) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 1268. REPORT ON ENHANCING PARTNERSHIPS BETWEEN THE UNITED STATES AND AFRICAN COUNTRIES.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than June 1, 2021, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the activities and resources required to enhance security and economic partnerships between the United States and African countries.

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

(A) An assessment of the infrastructure accessible to the Department of Defense on the continent of Africa.

(B) An identification of the ability of the Department to conduct freedom of movement on the continent, including identifying the activities of partners, allies, and other Federal departments and agencies that are facilitated by the Department's ability to conduct freedom of movement.

(C) Recommendations to meet the requirements identified in subparagraph (B), including—

(i) dual-use infrastructure projects;

(ii) military construction;

(iii) the acquisition of additional mobility capability by African countries or the United States Armed Forces, including strategic air lift, tactical air lift, or sealift capability; or

(iv) any other option as determined by the Secretary.

(D) Recommendations to expand and strengthen partner and ally capability, including traditional activities of the combatant commands, train and equip opportunities, partnerships with the National Guard and the United States Coast Guard, and multilateral contributions.

(E) Recommendations for enhancing joint exercises and training.

(F) An analysis of the security, economic, and stability benefits of the recommendations identified under subparagraphs (C) through (E).

(G)(i) A plan to fully resource United States force posture, capabilities, and stability operations, including—

(I) a detailed assessment of the resources required to address the elements described in subparagraphs (B) through (E), including specific cost estimates for recommended investments or projects; and

(II) a detailed timeline to achieve the recommendations described in subparagraphs (B) through (D).

(ii) The specific cost estimates required by clause (i)(I) shall, to the maximum extent practicable, include the following:

(I) With respect to procurement accounts—

(aa) amounts displayed by account, budget activity, line number, line item, and line item title; and

(bb) a description of the requirements for each such amount.

(II) With respect to research, development, test, and evaluation accounts—

(aa) amounts displayed by account, budget activity, line number, program element, and program element title; and

(bb) a description of the requirements for each such amount.

(III) With respect to operation and maintenance accounts—

(aa) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(bb) a description of the specific manner in which each such amount would be used.

(IV) With respect to military personnel accounts—

(aa) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(bb) a description of the requirements for each such amount.

(V) With respect to each project under military construction accounts (including unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

(VI) With respect to any expenditure or proposed appropriation not described in clause (i) through (iv), a level of detail equivalent or greater than the level of detail provided in the future-years defense program submitted pursuant to section 221(a) of title 10, United States Code.

(3) CONSIDERATIONS.—In preparing the report required under paragraph (1), the Secretary shall consider—

(A) the economic development and stability of African countries;

(B) the strategic and economic value of the relationships between the United States and African countries;

(C) the military, intelligence, diplomatic, developmental, and humanitarian efforts of China and Russia on the African continent; and

(D) the ability of the United States, allies, and partners to combat violent extremist organizations operating in Africa.

(4) FORM.—The report required under paragraph (1) may be submitted in classified form, but shall include an unclassified summary.

(b) INTERIM BRIEFING REQUIRED.—Not later than April 15, 2021, the Secretary of Defense (acting through the Under Secretary of Defense for Policy, the Under Secretary of Defense (Comptroller), and the Director of Cost Assessment and Program Evaluation) and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a joint interim briefing, and any written comments the Secretary of Defense and the Chairman of the Joint Chiefs of Staff consider necessary, with respect to their assessments of the report anticipated to be submitted under subsection (a).

(c) DEFINITIONS.—In this section:

(1) DUAL-USE INFRASTRUCTURE PROJECTS.—The term ''dual-use infrastructure projects'' means projects that may be used for either military or civilian purposes.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1269. SENSE OF CONGRESS WITH RESPECT TO QATAR.

It is the sense of Congress that—

(1) the United States and the country of Qatar have built a strong, enduring, and forward-looking strategic partnership based on long-standing and mutually beneficial cooperation, including through security, defense, and economic ties;

(2) robust security cooperation between the United States and Qatar is crucial to promoting peace and stability in the Middle East region;

(3) Qatar plays a unique role as host of the forward headquarters for the United States Central Command, and that partnership facilitates United States coalition operations countering terrorism;

(4) Qatar is a major security cooperation partner of the United States, as recognized in the 2018 Strategic Dialogue and the 2019 Memorandum of Understanding to expand Al Udeid Air Base to improve and expand accommodation for United States military personnel;

(5) the United States values Qatar's provision of access to its military facilities and its management and financial assistance in expanding the Al Udeid Air Base, which supports the continued security presence of the United States in the Middle East region; and

(6) the United States should—

(A) continue to strengthen the relationship between the United States and Qatar, including through security and economic cooperation; and

(B) seek a resolution to the dispute between partner countries of the Arabian Gulf, which would promote peace and stability in the Middle East region.

SEC. 1270. SENSE OF CONGRESS ON UNITED STATES MILITARY SUPPORT FOR AND PARTICIPATION IN THE MULTINATIONAL FORCE AND OBSERVERS.

It is the sense of Congress that—

(1) the mission of the Multinational Force and Observers (MFO) is to supervise implementation of the security provisions of the Egypt-Israel Peace Treaty, signed at Washington on March 26, 1979, and employ best efforts to prevent any violation of its terms;

(2) the MFO was established by the Protocol to the Egypt-Israel Peace Treaty, signed on August 3, 1981, and remains a critical institution for regional peace and stability; and

(3) as a signatory to the Egypt-Israel Peace Treaty and subsequent Protocol, the United States strongly supports and encourages continued United States military support for and participation in the MFO.

SEC. 1271. PROHIBITION ON SUPPORT FOR MILITARY PARTICIPATION AGAINST THE HOUTHIS.

(a) PROHIBITION RELATING TO SUPPORT.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available to provide United States logistical support to the Saudi-led coalition's operations against the Houthis in Yemen for coalition strikes, specifically by providing maintenance or transferring spare parts to coalition members flying warplanes engaged in anti-Houthi bombings for coalition strikes.

(b) PROHIBITION RELATING TO MILITARY PARTICIPATION.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available for any civilian or military personnel of the Department of Defense or contractors of the Department to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of the Saudi and United Arab Emirates-led coalition forces engaged in hostilities against the Houthis in Yemen or in situations in which there exists an imminent threat that such coalition forces become engaged in such hostilities, unless and until the President has obtained specific statutory authorization, in accordance with section 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

(c) RULE OF CONSTRUCTION.—The prohibitions under this section may not be construed to apply with respect to United States Armed Forces engaged in operations directed at al-Qaeda or associated forces.

SEC. 1272. RULE OF CONSTRUCTION RELATING TO USE OF MILITARY FORCE.

Nothing in this Act or any amendment made by this Act may be construed to authorize the use of military force.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS; SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $373,690,000 authorized to be appropriated to the Department of Defense for fiscal year 2021 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $2,924,000.

(2) For chemical weapons destruction, $12,856,000.

(3) For global nuclear security, $33,919,000.

(4) For cooperative biological engagement, $216,200,000.

(5) For proliferation prevention, $79,869,000.

(6) For activities designated as Other Assessments/Administrative Costs, $27,922,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2021, 2022, and 2023.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the National Defense Sealift Fund, as specified in the funding tables in section 4501.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $137,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2021 from the Armed Forces Retirement Home Trust Fund the sum of $70,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2021 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, military personnel accounts, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2021 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $2,500,000,000.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(2) ADDITIONAL LIMITATION ON TRANSFERS FROM THE NATIONAL GUARD AND RESERVE EQUIPMENT.—The authority provided by subsection (a) may not be used to transfer any amount from National Guard and Reserve Equipment.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2021 shall be subject to the conditions contained in—

(1) subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428); and

(2) section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2577) (as amended by subsection (b)).

(b) EXTENSION OF PRIOR NOTICE AND REPORTING REQUIREMENTS.—Section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2577) is amended by striking ''through January 31, 2021'' and inserting ''through January 31, 2023''.

(c) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts authorized to be appropriated for the Afghanistan Security Forces Fund by this Act and is intended for transfer to the security forces of the Ministry of Defense and the Ministry of the Interior of the Government of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that such equipment was procured for the purpose of meeting requirements of the security forces of the Ministry of Defense and the Ministry of the Interior of the Government of Afghanistan, as agreed to by both the Government of Afghanistan and the Government of the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to the acceptance of such equipment by the Secretary. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.

(ii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2575).

(iii) Section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088).

(iv) Section 1532(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3613).

(v) Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note).

(B) ELEMENTS.—Each report under subparagraph (A) shall include a list of all equipment that was accepted during the period covered by such report and treated as stocks of the Department of Defense and copies of the determinations made under paragraph (2), as required by paragraph (3).

(d) SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2021, it is the goal that $29,100,000, but in no event less than $10,000,000, shall be used for the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit and retain women into the Afghan National Defense and Security Forces, including the special operations forces;

(B) programs and activities of the Directorate of Human Rights and Gender Integration of the

Ministry of Defense of Afghanistan and the Office of Human Rights, Gender and Child Rights of the Ministry of Interior of Afghanistan;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Ministry of Defense and the Ministry of Interior of Afghanistan;

(D) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units;

(G) security provisions for high-profile female police and military officers;

(H) programs to promote conflict prevention, management, and resolution through the meaningful participation of Afghan women in the Afghan National Defense and Security Forces, by exposing Afghan women and girls to the activities of and careers available with such forces, encouraging their interest in such careers, or developing their interest and skills necessary for service in such forces; and

(I) enhancements to Afghan National Defense and Security Forces recruitment programs for targeted advertising with the goal of increasing the number of female recruits.

(e) ASSESSMENT OF AFGHANISTAN PROGRESS ON OBJECTIVES.—

(1) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate an assessment describing—

(A) the progress of the Government of the Islamic Republic of Afghanistan toward meeting shared security objectives; and

(B) the efforts of the Government of the Islamic Republic of Afghanistan to manage, employ, and sustain the equipment and inventory provided under subsection (a).

(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 extent to which the Government of Afghanistan has a strategy for, and has taken steps toward, increased accountability and the reduction of corruption within the Ministry of Defense and the Ministry of Interior of Afghanistan.

(B) 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.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, the Islamic State of Iraq and Syria-Khorasan, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.

(D) The distribution practices of the Afghan National Defense and Security Forces and whether the Government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to, and employed by, security forces charged with fighting the Taliban and other terrorist organizations.

(E) A description of—

(i) the policy governing the use of Acquisition and Cross Servicing Agreements (ACSA) in Afghanistan;

(ii) each ACSA transaction by type, amount, and recipient for calendar year 2020; and

(iii) for any transactions from the United States to Afghan military forces, an explanation for why such transaction was not carried out under the authorities of the Afghanistan Security Forces Fund.

(F) The extent to which the Government of Afghanistan has designated the appropriate staff, prioritized the development of relevant processes, and provided or requested the allocation of resources necessary to support a peace and reconciliation process in Afghanistan.

(G) A description of the ability of the Ministry of Defense and the Ministry of Interior of Afghanistan to manage and account for previously divested equipment, including a description of any vulnerabilities or weaknesses of the internal controls of such Ministry of Defense and Ministry of Interior and any plan in place to address shortfalls.

(H) A description of any significant irregularities in the divestment of equipment to the Afghan National Defense and Security Forces during the period beginning on May 1, 2020, and ending on May 1, 2021, including any major losses of such equipment or any inability on the part of the Afghan National Defense and Security Forces to account for equipment so procured.

(I) A description of the sustainment and maintenance costs required during the 5-year period beginning on the date of the enactment of this Act, for major weapons platforms previously divested, and a description of the plan for the Afghan National Defense and Security Forces to maintain such platforms in the future.

(J) The extent to which the Government of Afghanistan is adhering to conditions for receiving assistance established in annual financial commitment letters or any other bilateral agreements with the United States.

(K) The extent to which the Government of Afghanistan has made progress in achieving security sector benchmarks as outlined by the United States-Afghan Compact (commonly known as the ''Kabul Compact'') and a description of any other documents, plans, or agreements used by the United States to measure security sector progress.

(L) The extent to which the Government of Afghanistan or the Secretary has developed a plan to integrate former Taliban fighters into the Ministries of Defense or Interior.

(M) Such other factors as the Secretaries consider appropriate.

(3) FORM.—The assessment required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense determines, in coordination with the Secretary of State and pursuant to the assessment under paragraph (1), that the Government of Afghanistan has made insufficient progress in the areas described in paragraph (2), the Secretary of Defense shall—

(i) withhold $401,500,000, to be derived from amounts made available for assistance for the Afghan National Defense and Security Forces, from expenditure or obligation until the date on which the Secretary certifies to the congressional defense committees that the Government of Afghanistan has made sufficient progress; and

(ii) notify the congressional defense committees not later than 30 days before withholding such funds.

(B) WAIVER.—If the Secretary of Defense determines that withholding such assistance would impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance, the Secretary may waive the withholding requirement under subparagraph (A) if the Secretary, in coordination with the Secretary of State, certifies such determination to the congressional defense committees not later than 30 days before the effective date of the waiver.

(f) ADDITIONAL REPORTING REQUIREMENTS.—The Secretary of Defense shall include in the materials submitted in support of the budget for fiscal year 2022 that is submitted by the President under section 1105(a) of title 31, United States Code, each of the following:

(1) The amount of funding provided in fiscal year 2020 through the Afghanistan Security Forces Fund to the Government of Afghanistan in the form of direct government-to-government assistance or on-budget assistance for the purposes of supporting any entity of such government, including the Afghan National Defense and Security Forces, the Afghan Ministry of Interior, or the Afghan Ministry of Defense.

(2) The amount of funding provided and anticipated to be provided, as of the date of the submission of the materials, in fiscal year 2021 through such Fund in such form.

(3) To the extent the amount described in paragraph (2) exceeds the amount described in paragraph (1), an explanation as to the reason why the such amount is greater and the specific entities and purposes that were supported by such increase.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) PHASE TWO ACQUISITION STRATEGY.—In carrying out the phase two acquisition strategy, the Secretary of the Air Force—

(1) may not change the mission performance requirements;

(2) may not change the acquisition schedule;

(3) may not award phase two contracts after September 30, 2024;

(4) shall award phase two contracts to not more than two National Security Space Launch providers;

(5) shall ensure that launch services are procured only from National Security Space Launch providers that meet the requirements for the phase two contracts;

(6) not later than 180 days after the date on which phase two contracts are awarded, shall terminate launch service agreement contracts awarded under such phase two acquisition strategy to each National Security Space Launch provider that is not a down-selected National Security Launch provider; and

(7) may not increase the total amount of funding included in the initial launch service agreements with down-selected National Security Launch providers.

(b) REUSABILITY.—

(1) CERTIFICATION.—Not later than 18 months after the date on which the Secretary determines the down-selected National Security Space Launch providers, the Secretary shall certify to the appropriate congressional committees that the Secretary has completed all non-recurring design validation of previously flown launch hardware for National Security Space Launch providers offering such hardware for use in phase two contracts or in future national security space missions.

(2) REPORT.—Not later than 180 days after the date on which the Secretary determines the down-selected National Security Space Launch providers, the Secretary shall submit to the appropriate congressional committees a report on the progress of the Secretary with respect to completing all non-recurring design validation of previously flown launch hardware described in paragraph (1), including—

(A) a justification for any deviation from the new entrant certification guide; and

(B) a description of such progress with respect to National Security Space Launch providers that are not down-selected National Security Space Launch providers, if applicable.

(c) FUNDING FOR CERTIFICATION, INFRASTRUCTURE, AND TECHNOLOGY DEVELOPMENT.—

(1) AUTHORITY.—Pursuant to section 2371b of title 10, United States Code, not later than September 30, 2021, the Secretary of the Air Force

shall enter into three agreements described in paragraph (3) with National Security Space Launch providers—

(A) to maintain competition in order to maximize the likelihood of at least three National Security Space Launch providers competing for phase three contracts; and

(B) to support innovation for national security launches under phase three contracts.

(2) COMPETITIVE PROCEDURES.—The Secretary shall carry out paragraph (1) by conducting a full and open competition among all National Security Space Launch providers that may submit bids for a phase three contract.

(3) AGREEMENTS.—An agreement described in this paragraph is an agreement that provides a National Security Space Launch provider with not more than $150,000,000 for the provider to conduct either or both of the following activities:

(A) Meet the certification and infrastructure requirements that are—

(i) unique to national security space missions; and

(ii) necessary for a phase three contract.

(B) Develop transformational technologies in support of the national security space launch capability for phase three contracts (such as technologies regarding launch, maneuver, and transport capabilities for enhanced resiliency and security technologies, as identified in the National Security Launch Architecture study of the Space and Missile Systems Center of the Space Force).

(4) REPORT.—Not later than 30 days after the date on which the Secretary enters into an agreement under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report explaining how the Secretary determined the certification and infrastructure requirements and the transformational technologies covered under paragraph (3).

(d) BRIEFING.—Not later than December 31, 2020, the Secretary shall provide to the congressional defense committees a briefing on the progress made by the Secretary in ensuring that full and open competition exists for phase three contracts, including—

(1) a description of progress made to establish the requirements for phase three contracts, including such requirements that the Secretary determines cannot be met by the commercial market;

(2) whether the Secretary determines that additional development funding will be necessary for such phase;

(3) a description of the estimated costs for the development described in subparagraphs (A) and (B) of subsection (c)(3); and

(4) how the Secretary will—

(A) ensure full and open competition for technology development for phase three contracts; and

(B) maintain competition.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to delay the award of phase two contracts.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

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

(2) The term ''down-selected National Security Launch provider'' means a National Security Space Launch provider that the Secretary of the Air Force selected to be awarded phase two contracts.

(3) The term ''phase three contract'' means a contract awarded using competitive procedures for launch services under the National Security Space Launch program after fiscal year 2024.

(4) The term ''phase two acquisition strategy'' means the process by which the Secretary of the Air Force enters into phase two contracts during fiscal year 2020, orders launch missions during fiscal years 2020 through 2024, and carries out such launches under the National Security Space Launch program.

(5) The term ''phase two contract'' means a contract awarded during fiscal year 2020 using competitive procedures for launch missions ordered under the National Security Space Launch program during fiscal years 2020 through 2024.

SEC. 1602. REQUIREMENT TO BUY CERTAIN SATELLITE COMPONENT FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) STAR TRACKER.—A star tracker used in a satellite weighing more than 400 pounds whose principle purpose is to support the national security, defense, or intelligence needs of the United States Government.''.

SEC. 1603. COMMERCIAL SPACE DOMAIN AWARENESS CAPABILITIES.

(a) PROCUREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall procure commercial space domain awareness services by awarding at least two contracts for such services.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the enterprise space battle management command and control, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, without delegation, certifies to the congressional committees that the Secretary of the Air Force has awarded the contracts under subsection (a).

(c) REPORT.—Not later than January 31, 2021, the Chief of Space Operations, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees a report detailing the commercial space domain awareness services, data, and analytics of objects in low-earth orbit that have been purchased during the two-year period preceding the date of the report. The report shall be submitted in unclassified form.

(d) COMMERCIAL SPACE DOMAIN AWARENESS SERVICES DEFINED.—In this section, the term ''commercial space domain awareness services'' means space domain awareness data, processing software, and analytics derived from best-in-breed commercial capabilities to address warfighter requirements in low-earth orbit and fill gaps in current space domain capabilities of the Space Force, including commercial capabilities to—

(1) provide conjunction and maneuver alerts;

(2) monitor breakup and launch events; and

(2) detect and track objects smaller than 10 centimeters in size.

SEC. 1604. RESPONSIVE SATELLITE INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Defense shall establish a domestic responsive satellite manufacturing capability for Department of Defense space operations to be used—

(1) for the development of components, systems, structures, and payloads necessary to reconstitute a national security space asset that has been destroyed, failed, or otherwise determined to be incapable of performing mission requirements; and

(2) to rapidly acquire and field necessary space-based capabilities needed to maintain continuity of national security space missions and limit capability disruption to the warfighter.

(b) PLAN FOR RESPONSIVE SATELLITE INFRASTRUCTURE.—The Secretary of Defense, in consultation with the Secretary of the Air Force, the Chief of Space Operations, and the Commander of United States Space Command, shall develop an operational plan and acquisition strategy for responsive satellite infrastructure to swiftly identify need, develop capability, and launch a responsive satellite to fill a critical capability gap in the event of destruction or failure of a space asset or otherwise determined need.

(c) MATTERS INCLUDED.—The plan outlined under subsection (b) shall include the following:

(1) A process for determining whether the reconstitution of a space asset is necessary.

(2) The timeframe in which a developed satellite is determined to be ''responsive''.

(3) A plan to leverage domestic commercial entities in the ''new space'' supply chain that have already demonstrated rapid satellite product development and delivery capability to meet new ''mission responsiveness'' requirements being passed down by Department of Defense prime satellite contractors in—

(A) power systems and solar arrays;

(B) payloads and integration features; and

(C) buses and structures.

(4) An assessment of acquisition requirements and standards necessary for commercial entities to meet Department of Defense validation of supply chains, processes, and technologies while operating under rapid development cycles needed to maintain a responsive timeframe as determined by paragraph (2).

(5) Such other matters as the Secretary considers appropriate.

(d) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report detailing the plan under subsection (b).

SEC. 1605. POLICY TO ENSURE LAUNCH OF SMALL-CLASS PAYLOADS.

(a) IN GENERAL.—The Secretary of Defense shall establish a small launch and satellite policy to ensure responsive and reliable access to space through the processing and launch of Department of Defense small-class payloads.

(b) POLICY.—The policy under subsection (a) shall include, at a minimum, providing resources and policy guidance to sustain—

(1) the availability of small-class payload launch service providers using launch vehicles capable of delivering into space small payloads designated by the Secretary of Defense as a national security payload;

(2) a robust small-class payload space launch infrastructure and industrial base;

(3) the availability of rapid, responsive, and reliable space launches for national security space programs to—

(A) improve the responsiveness and flexibility of a national security space system;

(B) lower the costs of launching a national security space system; and

(C) maintain risks of mission success at acceptable levels;

(4) a minimum number of dedicated launches each year; and

(5) full and open competition including small launch providers and rideshare opportunities.

(c) ACQUISITION STRATEGY.—The Secretary shall develop and carry out a five-year phased acquisition strategy, including near and long term, for the small launch and satellite policy under subsection (a).

(d) ELEMENTS.—The acquisition strategy under subsection (c) shall—

(1) provide the necessary—

(A) stability in budgeting and acquisition of capabilities;

(B) flexibility to the Federal Government; and

(C) procedures for fair competition; and

(2) specifically take into account, as appropriate per competition, the effect of—

(A) contracts or agreements for launch services or launch capability entered into by the Department of Defense with small-class payload space launch providers;

(B) the requirements of the Department of Defense, including with respect to launch capabilities and pricing data, that are met by such providers;

(C) the cost of integrating a satellite onto a launch vehicle;

(D) launch performance history (at least three successful launches of the same launch vehicle design) and maturity;

(E) ability of a launch provider to provide the option of dedicated and rideshare launch capabilities; and

(F) any other matters the Secretary considers appropriate.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing a plan for the policy under subsection (a), including with respect to the cost of launches and an assessment of mission risk.

SEC. 1606. TACTICALLY RESPONSIVE SPACE LAUNCH OPERATIONS.

The Secretary of the Air Force shall implement a tactically responsive space launch program—

(1) to provide long-term continuity for tactically responsive space launch operations across the future-years defense program submitted to Congress under section 221 of title 10, United States Code;

(2) to accelerate the development of—

(A) responsive launch concepts of operations;

(B) tactics;

(C) training; and

(D) procedures;

(3) to develop appropriate processes for tactically responsive space launch, including—

(A) mission assurance processes; and

(B) command and control, tracking, telemetry, and communications; and

(4) to identify basing capabilities necessary to enable tactically responsive space launch, including mobile launch range infrastructure.

SEC. 1607. LIMITATION ON AVAILABILITY OF FUNDS FOR PROTOTYPE PROGRAM FOR MULTI-GLOBAL NAVIGATION SATELLITE SYSTEM RECEIVER DEVELOPMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for increment 2 of the acquisition of military Global Positioning System user equipment terminals, not more than 80 percent may be obligated or expended until the date on which the Secretary of Defense—

(1) certifies to the congressional defense committees that the Secretary of the Air Force is carrying out the program required under section 1607 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1724); and

(2) provides to the Committees on Armed Services of the House of Representatives and the Senate a briefing on how the Secretary is implementing such program, including with respect to addressing each element specified in subsection (b) of such section.

SEC. 1608. LIMITATION ON AWARDING CONTRACTS TO ENTITIES OPERATING COMMERCIAL TERRESTRIAL COMMUNICATION NETWORKS THAT CAUSE INTERFERENCE WITH THE GLOBAL POSITIONING SYSTEM.

The Secretary of Defense may not enter into a contract, or extend or renew a contract, with an entity that engages in commercial terrestrial operations using the 1525–1559 megahertz band or the 1626.5–1660.5 megahertz band unless the Secretary has certified to the congressional defense committees that such operations do not cause harmful interference to a Global Positioning System device of the Department of Defense.

SEC. 1609. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN PURPOSES RELATING TO THE GLOBAL POSITIONING SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) On April 19, 2020, the Federal Communications Commission issued an order and authorization granting Ligado Networks LLC the authority to operate a nationwide terrestrial communications network using the 1526–1536 megahertz band, the 1627.5–1637.5 megahertz band, or the 1646.5–1656.5 megahertz band.

(2) In an attempt to address interference to the Global Positioning System operating near those bands, Ligado Networks LLC has committed to assuming the costs mitigating any interference caused by their network.

(3) In the approval order, the Federal Communications Commission directed that ''Ligado takes all necessary mitigation measures to prevent or remediate any potential harmful interference to U.S. Government devices, including devices used by the military, that are identified both pre- and post-deployment of Ligado's network.''.

(4) In a letter to the Committee on Armed Services of the House of Representatives dated May 21, 2020, Ligado Networks LLC reaffirmed the commitment to bear the costs to the Department of Defense, stating that the ''FCC directed Ligado to provide protections to GPS devices using its spectrum by imposing stringent coordination, cooperation, and replacement obligations on Ligado, so that Ligado bears the burden'' and ''Make no mistake: the obligation is ours, and the burden falls solely on our company.''.

(b) PROHIBITION.—Except as provided by subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 or any subsequent fiscal year for the Department of Defense may be obligated or expended to retrofit any Global Positioning System device or system, or network that uses the Global Positioning System, in order to mitigate interference from commercial terrestrial operations using the 1526–1536 megahertz band, the 1627.5–1637.5 megahertz band, or the 1646.5–1656.5 megahertz band.

(c) ACTIONS NOT PROHIBITED.—The prohibition in subsection (a) shall not apply to any action taken by the Secretary of Defense relating to—

(1) conducting technical or information exchanges with the entity that operates the commercial terrestrial operations in the megahertz bands specified in such subsection;

(2) seeking compensation for interference from such entity; or

(3) Global Positioning System receiver upgrades needed to address other resiliency requirements.

SEC. 1610. REPORT ON RESILIENT PROTECTED COMMUNICATIONS SATELLITES.

(a) FINDINGS.—Congress finds the following:

(1) The national command, control, and communications system of the Department of Defense is essential to the national security of the United States.

(2) The Department of Defense requires the space segments of such system to be resilient and survivable to address advanced threats from Russia and China.

(3) The next-generation overhead persistent infrared missile warning satellites are being upgraded with enhanced resiliency features to make them much less vulnerable to attack and will begin launch in 2025.

(4) Because missile warning satellites rely on protected communications satellites to relay warnings and response orders, the next-generation overhead persistent infrared missile warning satellites will require protected communications satellites with enhanced resiliency features, however, the current plan of the Space Force is to provide those capabilities with the evolved strategic satellite communications program that will not be available until 2032 or later.

(5) As a result, the Chief of Space Operations should implement an accelerated plan to achieve more resilient protected communications satellites without delay.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Chief of Space Operations shall submit to the congressional defense committees a report on how the Space Force will address the need for resilient protected communications satellites during the years 2025 through 2032.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1611. VALIDATION OF CAPABILITY REQUIREMENTS OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

Section 442 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) VALIDATION.—The National Geospatial-Intelligence Agency shall assist the Joint Chiefs of Staff, combatant commands, and the military departments in establishing, coordinating, consolidating, and validating mapping, charting, geodetic data, and safety of navigation capability requirements through a formal process governed by the Joint Staff. Consistent with validated requirements, the National Geospatial-Intelligence Agency shall provide aeronautical and nautical charts that are safe for navigation, maps, books, datasets, models, and geodetic products.''.

SEC. 1612. SAFETY OF NAVIGATION MISSION OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) MISSION OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Section 442 of title 10, United States Code, as amended by section 1611, is further amended—

(1) in subsection (b)—

(A) by striking ''means of navigating vessels of the Navy and the merchant marine'' and inserting ''the means for safe navigation''; and

(B) by striking ''and inexpensive nautical charts'' and all that follows and inserting ''geospatial information for use by the departments and agencies of the United States, the merchant marine, and navigators generally.''; and

(2) in subsection (c)—

(A) by striking ''shall prepare and'' and inserting ''shall acquire, prepare, and'';

(B) by striking ''charts'' and inserting ''safe-for-navigation charts and datasets''; and

(C) by striking ''geodetic'' and inserting ''geomatics''.

(b) MAPS, CHARTS, AND BOOKS.—

(1) IN GENERAL.—Section 451 of title 10, United States Code, is amended—

*(A) in the heading, by striking ''**and books**'' and inserting ''**books, and datasets**'';*

(B) in paragraph (1), by striking ''maps, charts, and nautical books'' and inserting ''nautical and aeronautical charts, topographic and geomatics maps, books, models, and datasets''; and

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

''(2) acquire (by purchase, lease, license, or barter) all necessary rights, including copyrights and other intellectual property rights, required to prepare, publish, and furnish to navigators the products described in paragraph (1).''.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 22 of title 10, United States Code, is amended by striking the item relating to section 451 and inserting the following new item:

''451. Maps, charts, books, and datasets.''.

(c) CIVIL ACTIONS BARRED.—Section 456 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''No civil action may be brought against the United States on the basis of the content of geospatial information prepared or disseminated by the National Geospatial-Intelligence Agency.''.

(d) DEFINITIONS.—Section 467 of title 10, United States Code, is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting ''or about'' after ''boundaries on'';

(B) in subparagraph (A), by striking ''statistical''; and

(C) in subparagraph (B)—

(i) by striking ''geodetic'' and inserting ''geomatics''; and

(ii) by inserting ''and services'' after ''products''; and

(2) in paragraph (5), by inserting ''or about'' after ''activities on''.

SEC. 1613. NATIONAL ACADEMIES CLIMATE SECURITY ROUNDTABLE.

(a) IN GENERAL.—The Under Secretary of Defense for Intelligence and Security, in coordination with the Director of National Intelligence, shall enter into a joint agreement with the Academies to create a new ''National Academies Climate Security Roundtable'' (in this section referred to as the ''roundtable'').

(b) PARTICIPANTS.—The roundtable shall include—

(1) the members of the Climate Security Advisory Council established under section 120 of the National Security Act of 1947 (50 U.S.C. 3060);

(2) senior representatives and practitioners from Federal science agencies, elements of the intelligence community, and the Department of Defense, who are not members of the Council; and

(3) key stakeholders in the United States scientific enterprise, including institutions of higher education, Federal research laboratories (including the national security laboratories), industry, and nonprofit research organizations.

(c) PURPOSE.—The purpose of the roundtable is—

(1) to support the duties and responsibilities of the Climate Security Advisory Council under section 120(c) of the National Security Act of 1947 (50 U.S.C. 3060(c));

(2) to develop best practices for the exchange of data, knowledge, and expertise among elements of the intelligence community, elements of the Federal Government that are not elements of the intelligence community, and non-Federal researchers;

(3) to facilitate dialogue and collaboration about relevant collection and analytic priorities among participants of the roundtable with respect to climate security;

(4) to identify relevant gaps in the exchange of data, knowledge, or expertise among participants of the roundtable with respect to climate security, and consider viable solutions to address such gaps; and

(5) to provide any other assistance, resources, or capabilities that the Director of National Intelligence or the Under Secretary determines necessary with respect to the Council carrying out the duties and responsibilities of the Council under such section 120(c).

(d) MEETINGS.—The roundtable shall meet at least quarterly, in coordination with the meetings of the Climate Security Advisory Council under section 120(c)(1) of the National Security Act of 1947 (50 U.S.C. 3060(c)(1)).

(e) REPORTS AND BRIEFINGS.—The joint agreement under subsection (a) shall specify that—

(1) the roundtable shall organize workshops, on at least a biannual basis, that include both participants of the roundtable and persons who are not participants, and may be conducted in classified or unclassified form in accordance with subsection (f);

(2) on a regular basis, the roundtable shall produce classified and unclassified reports on the topics described in subsection (c) and the activities of the roundtable, and other documents in support of the duties and responsibilities of the Climate Security Advisory Council under section 120(c) of the National Security Act of 1947 (50 U.S.C. 3060(c));

(3) the Academies shall provide recommendations by consensus to the Council on both the topics described in subsection (c) and specific topics as identified by participants of the roundtable;

(4) not later than March 1, 2021, and annually thereafter during the life of the roundtable, the Academies shall provide a briefing to the appropriate congressional committees on the progress and activities of the roundtable; and

(5) not later than September 30, 2025, the Academies shall submit a final report to the appropriate congressional committees on the activities of the roundtable.

(f) SECURITY CLEARANCES.—Each participant of the roundtable shall have a security clearance at the appropriate level to carry out the duties of the participant under this section. A person who is not a participant who attends a workshop under subsection (e)(1) is not required to have a security clearance, and the roundtable shall ensure that any such workshop is held at the appropriate classified or unclassified level.

(g) TERMINATION.—The roundtable shall terminate on September 30, 2025.

(h) DEFINITIONS.—In this section:

(1) The term ''Academies'' means the National Academies of Sciences, Engineering, and Medicine.

(2) The term ''appropriate congressional committees'' means—

(A) the Committee on Science, Space, and Technology, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(3) The term ''Federal science agency'' means any agency or department of the Federal Government with at least $100,000,000 in basic and applied research obligations in fiscal year 2019.

(4) The term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(5) The term ''national security laboratory'' has the meaning given the term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 1614. REPORT ON RISK TO NATIONAL SECURITY POSED BY QUANTUM COMPUTING TECHNOLOGIES.

(a) REPORT.—

(1) REQUIREMENT.—Not later than December 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the current and potential threats and risks posed by quantum computing technologies. The Secretary shall conduct the assessment in a manner that allows the Secretary to better understand and prepare to counter the risks of quantum computing to national security.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An identification of national security systems that are vulnerable to current and potential threats and risks posed by quantum computing technologies.

(B) An assessment of quantum-resistant cryptographic standards, including a timeline for the development of such standards.

(C) An assessment of the feasibility of alternate quantum-resistant models.

(D) A description of any funding shortfalls in public and private efforts to develop such standards and models.

(E) Recommendations to counter the threats and risks posed by quantum computing technologies that prioritize, secure, and resource the defense of national security systems identified under subparagraph (A).

(b) BRIEFINGS.—During the period preceding the date on which the Secretary submits the report under subsection (a), the Secretary shall include in the quarterly briefings under section 484 of title 10, United States Code, an update on the assessment conducted under such subsection.

(c) FORM.—The report under subsection (a) may be submitted in classified form.

Subtitle C—Cyberspace-Related Matters

SEC. 1621. CYBER MISSION FORCES AND CYBERSPACE OPERATIONS FORCES.

Subsection (a) of section 238, title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''The Secretary'' and inserting ''Not later than five days after the submission by the President under section 1105(a) of title 31 of the budget, the Secretary'';

(B) by inserting ''in both electronic and print formats'' after ''submit''; and

(C) by striking ''2017'' and inserting ''2021'';

(2) in paragraph (1), by inserting ''and the cyberspace operations forces'' before the semicolon; and

(3) in paragraph (2), by inserting ''and the cyberspace operations forces'' before the period.

SEC. 1622. CYBERSPACE SOLARIUM COMMISSION.

Section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A), by—

(i) striking clauses (i) through (iv); and

(ii) redesignating clauses (v) through (viii) as clauses (i) through (iv), respectively; and

(B) in subparagraph (B)(i), by striking ''and who are appointed under clauses (iv) through (vii) of subparagraph (A)'';

(2) in subsection (d)(2), by striking ''Seven'' and inserting ''Six'';

(3) in subsection (h), by—

(A) striking ''(1) IN GENERAL.—(A)''; and

(B) striking paragraph (2);

(4) in subsection (i)(1)(B), by striking ''officers or employees of the United States or''; and

(5) in subsection (k)(2)—

(A) in subparagraph (A), by striking ''at the end of the 120-day period beginning on'' and inserting ''two years after'';

(B) in subparagraph (B), by—

(i) striking ''may use the 120-day'' and inserting ''shall use the two year'';

(ii) striking ''for the purposes of concluding its activities, including providing testimony to Congress concerning the final report referred to in that paragraph and disseminating the report'' and inserting the following: ''for the purposes of—'':

''(i) collecting and assessing comments and feedback from the Executive Branch, academia, and the public on the analysis and recommendations contained in the Commission's report;

''(ii) collecting and assessing any developments in cybersecurity that may affect the analysis and recommendations contained in the Commission's report;

''(iii) reviewing the implementation of the recommendations contained in the Commission's report;

''(iv) revising, amending, or making new recommendations based on the assessments and reviews required under clauses (i)–(iii);

''(v) providing an annual update to the congressional defense committees, the congressional intelligence committees, the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Director of National Intelligence, the Secretary of Defense, and the Secretary of Homeland Security in a manner and format determined by the Commission regarding any such revisions, amendments, or new recommendations; and

''(vi) concluding its activities, including providing testimony to Congress concerning the final report referred to in that paragraph and disseminating the report.''; and

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

''(C) If the Commission is extended, and the effective date of such extension is after the date on which the Commission terminated, the Commission shall be deemed reconstituted with the same members and powers that existed on the day before such termination date, except that—

''(i) a member of the Commission may serve only if the member's position continues to be authorized under subsection (b);

''(ii) no compensation or entitlements relating to a person's status with the Commission shall

be due for the period between the termination and reconstitution of the Commission;

''(iii) nothing in this subparagraph may be construed as requiring the extension or reemployment of any staff member or contractor working for the Commission;

''(iv) the staff of the Commission shall be—

''(I) selected by the co-chairs of the Commission in accordance with subsection (h)(1);

''(II) comprised of not more than four individuals, including a staff director; and

''(III) resourced in accordance with subsection (g)(4)(A);

''(v) with the approval of the co-chairs, may be provided by contract with a nongovernmental organization;

''(vi) any unexpended funds made available for the use of the Commission shall continue to be available for use for the life of the Commission, as well as any additional funds appropriated to the Department of Defense that are made available to the Commission, provided that the total such funds does not exceed $1,000,000 from the reconstitution of the Commission to the completion of the Commission; and

''(vii) the requirement for an assessment of the final report in subsection (l) shall be updated to require annually for a period of two years further assessments of the Federal Government's responses to the Commission's recommendations contained in such final report.''.

SEC. 1623. TAILORED CYBERSPACE OPERATIONS ORGANIZATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy, in conjunction with the Chief of Naval Operations, shall submit to the congressional defense committees a study of the Navy Cyber Warfare Development Group (NCWDG).

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

(1) An examination of NCWDG's structure, manning, authorities, funding, and operations.

(2) A review of organizational relationships both within the Navy and to other Department of Defense organizations, as well as non-Department of Defense organizations.

(3) Recommendations for how the NCWDG can be strengthened and improved, without growth in size.

(c) DESIGNATION.—Notwithstanding any other provision of law, the Secretary of the Navy shall designate the NCWDG as a screened command.

(d) RELEASE.—The Secretary of the Navy shall transmit the study required under subsection (a) to the secretaries of the military services and the Commander of United States Special Operations Command.

(e) EXEMPLAR.—The service secretaries and the Commander of United States Special Operations Command are authorized to establish counterpart tailored cyberspace operations organizations of comparable size to the NCWDG within the military service or command, respectively, of each such secretary and Commander. Such counterpart organizations shall have the same authorities as the NCWDG. Not later than 30 days after receipt by each of the service secretaries and the Commander under subsection (d) of the study required under subsection (a), each such service secretary and Commander, as the case may be, shall brief the congressional defense committees regarding whether or not each such service secretary or Commander intends to utilize the authority under this subsection.

SEC. 1624. RESPONSIBILITY FOR THE SECTOR RISK MANAGEMENT AGENCY FUNCTION OF THE DEPARTMENT OF DEFENSE.

(a) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) 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) SECTOR RISK MANAGEMENT AGENCY.—The term ''Sector Risk Management Agency'' means a Federal department or agency designated as a Sector Specific Agency under Presidential Policy Directive-21 to be responsible for providing institutional knowledge and specialized expertise to, as well as leading, facilitating, or supporting, the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.

(2) REFERENCE.—Any reference to a Sector-Specific Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Sector Risk Management Agency of the Federal Government for the relevant critical infrastructure sector.

(b) DESIGNATION.—The Secretary of Defense shall designate the Principal Cyber Advisor of the Department of Defense as the lead official, and the Office of the Principal Cyber Advisor as the lead component, for the Department's role and functions as the Sector Risk Management Agency for the Defense Industrial Base.

(c) RESPONSIBILITIES.—As the lead official for the Department of Defense's Sector Risk Management Agency functions, the Principal Cyber Advisor of the Department shall be responsible for all activities performed by the Department in its support of the Defense Industrial Base, as one of the critical infrastructure sectors of the United States. Such activities shall include the following:

(1) Synchronization, harmonization, de-confliction, and management for the execution of all Department programs, initiatives, efforts, and communication related to the Department's Sector Risk Management Agency function, including any Department program, initiative, or effort that addresses the cybersecurity of the Defense Industrial Base.

(2) Leadership and management of the Defense Industrial Base Government Coordinating Council.

(3) Direct interface and sponsorship of the Defense Industrial Base Sector Coordinating Council.

(4) Organization of quarterly in-person meetings of both the Defense Industrial Base Government Coordinating Council and the Defense Industrial Base Sector Coordinating Council.

(d) ADDITIONAL FUNCTIONS.—In carrying out this section, the Principal Cyber Advisor of the Department of Defense shall—

(1) coordinate with relevant Federal departments and agencies, and collaborate with critical infrastructure owners and operators, where appropriate with independent regulatory agencies, and with State, local, territorial, and Tribal entities, as appropriate;

(2) serve as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;

(3) carry out incident management responsibilities;

(4) provide, support, or facilitate technical assistance and consultations for the Defense Industrial Base to identify cyber or physical vulnerabilities and help mitigate incidents, as appropriate; and

(5) support the statutorily required reporting requirements of such relevant Federal departments and agencies by providing to such departments and agencies on an annual basis sector-specific critical infrastructure information.

SEC. 1625. DEPARTMENT OF DEFENSE CYBER WORKFORCE EFFORTS.

(a) RESOURCES FOR CYBER EDUCATION.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense, in consultation with the Director of the National Security Agency (NSA), shall examine the current policies permitting National Security Agency employees to use up to 140 hours of paid time toward NSA's cyber education programs.

(2) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chief Information Officer shall submit to the congressional defense committees and the congressional intelligence committees a strategy for expanding the policies described in paragraph (1) to—

(i) individuals who occupy positions described in section 1599f of title 10, United States Code; and

(ii) any other individuals who the Chief Information Officer determines appropriate.

(B) IMPLEMENTATION PLAN.—The report required under subparagraph (A) shall detail the utilization of the policies in place at the National Security Agency, as well as an implementation plan that describes the mechanisms needed to expand the use of such policies to accommodate wider participation by individuals described in such subparagraph. Such implementation plan shall detail how such individuals would be able to connect to the instructional and participatory opportunities available through the efforts, programs, initiatives, and investments accounted for in the report required under section 1649 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), including the following programs:

(i) GenCyber.

(ii) Centers for Academic Excellence – Cyber Defense.

(iii) Centers for Academic Excellence – Cyber Operations.

(C) DEADLINE.—Not later than 120 days after the submission of the report required under subparagraph (A), the Chief Information Officer of the Department of Defense shall carry out the implementation plan contained in such report.

(b) IMPROVING THE TRAINING WITH INDUSTRY PROGRAM.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Principal Cyber Advisor of the Department of Defense, in consultation with the Principal Cyber Advisors of the military services and the Under Secretary of Defense for Personnel and Readiness, shall submit to the congressional defense committees a review of the current utilization and utility of the Training With Industry (TWI) programs, including relating to the following:

(A) Recommendations regarding how to improve and better utilize such programs, including regarding individuals who have completed such programs.

(B) An implementation plan to carry out such recommendations.

(2) ADDITIONAL .—Not later than 90 days after the submission of the report required under paragraph (1), the Principal Cyber Advisor of the Department of Defense shall carry out the implementation plan required under paragraph (1).

(c) ALIGNMENT OF CYBERSECURITY TRAINING PROGRAMS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing recommendations on how cybersecurity training programs described in section 1649 of the National Defense Authorization Act for Fiscal Year 2020 can be better aligned and harmonized.

(2) REPORT.—The report required under paragraph (1) shall provide recommendations concerning the following topics and information:

(A) Developing a comprehensive mechanism for utilizing and leveraging the Cyber Excepted Service workforce of the Department of Defense referred to in subsection (a), as well as mechanisms for military participation.

(B) Unnecessary redundancies in such programs, or in any related efforts, initiatives, or investments.

(C) Mechanisms for tracking participation and transition of participation from one such program to another.

(D) Department level oversight and management of such programs.

(3) CYBER WORKFORCE PIPELINE AND EARLY CHILDHOOD EDUCATION.—

(A) ELEMENTS.—The Secretary of Defense shall, when completing the report required

under paragraph (1), take into consideration existing Federal childhood cyber education programs, including the programs identified in the report required under section 1649 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the Department of Homeland Security's Cybersecurity Education and Training Assistance Program (CETAP), that can provide opportunities to military-connected students and members of the Armed Forces to pursue cyber careers.

(B) DEFINITION.—In this paragraph, the term ''military-connected student'' means an individual who—

(i) is a dependent a member of the Armed Forces serving on active duty; and

(ii) is enrolled in a preschool, an elementary or secondary school, or an institution of higher education.

SEC. 1626. REPORTING REQUIREMENTS FOR CROSS DOMAIN COMPROMISES AND EXEMPTIONS TO POLICIES FOR INFORMATION TECHNOLOGY.

(a) COMPROMISE REPORTING.—

(1) IN GENERAL.—Effective beginning in October 2020, the Secretary of Defense and the secretaries of the military services shall submit to the congressional defense committees a monthly report in writing that documents each instance or indication of a cross-domain compromise within the Department of Defense.

(2) PROCEDURES.—The Secretary of Defense shall submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify such committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

(3) DEFINITION.—In this subsection, the term ''cross domain compromise'' means any unauthorized connection between software, hardware, or both designed for use on a network or system built for classified data and the public internet.

(b) EXEMPTIONS TO POLICY FOR INFORMATION TECHNOLOGY.—Not later than six months after the date of the enactment of this Act and biannually thereafter, the Secretary of Defense and the secretaries of the military services shall submit to the congressional defense committees a report in writing that enumerates and details each current exemption to information technology policy, interim Authority To Operate (ATO) order, or both. Each such report shall include other relevant information pertaining to each such exemption, including relating to the following:

(1) Risk categorization.

(2) Duration.

(3) Estimated time remaining.

SEC. 1627. ASSESSING PRIVATE-PUBLIC COLLABORATION IN CYBERSECURITY.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a review and assessment of any ongoing public-private collaborative initiatives involving the Department of Defense and the private sector related to cybersecurity and defense of critical infrastructure, including—

(A) the United States Cyber Command's Pathfinder initiative and any derivative initiative;

(B) the Department's support to and integration with existing Federal cybersecurity centers and organizations; and

(C) comparable initiatives led by other Federal departments or agencies that support long-term public-private cybersecurity collaboration; and

(2) make recommendations for improvements and the requirements and resources necessary to institutionalize and strengthen the initiatives described in subparagraphs (A) through (C) of paragraph (1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report on the review, assessment, and recommendations under subsection (a).

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

(c) DEFINITION.—In this section, the term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).

SEC. 1628. CYBER CAPABILITIES AND INTEROPERABILITY OF THE NATIONAL GUARD.

(a) EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in conjunction with the Chief of the National Guard Bureau, shall submit to the congressional defense committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a review of the statutes, rules, regulations, and standards that pertain to the use of the National Guard for the response to and recovery from significant cyber incidents.

(b) RECOMMENDATIONS.—The review required under subsection (a) shall address the following::

(1) Regulations promulgated under section 903 of title 32, United States Code, to allow the National Guard to conduct homeland defense activities that the Secretary of Defense determines to be necessary and appropriate in accordance with section 902 of such title in response to a cyber attack.

(2) Compulsory guidance from the Chief of the National Guard Bureau regarding how the National Guard shall collaborate with the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and the Federal Bureau of Investigation of the Department of Justice through multi-agency task forces, information-sharing groups, incident response planning and exercises, and other relevant forums and activities.

(3) A plan for how the Chief of the National Guard Bureau will collaborate with the Secretary of Homeland Security to develop an annex to the National Cyber Incident Response Plan that details the regulations and guidance described in paragraphs (1) and (2).

(c) DEFINITION.—The term ''significant cyber incident'' means a cyber incident that results, or several related cyber incidents that result, in demonstrable harm to—

(1) the national security interests, foreign relations, or economy of the United States; or

(2) the public confidence, civil liberties, or public health and safety of the American people.

SEC. 1629. EVALUATION OF NON-TRADITIONAL CYBER SUPPORT TO THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Not later than 270 days after the date of the enactment of this Act, the Principal Cyber Advisor to the Secretary of Defense, in conjunction with the Under Secretary for Personnel and Readiness of the Department of Defense and the Principal Cyber Advisors of the military services, shall complete an assessment and evaluation of reserve models tailored to the support of cyberspace operations for the Department.

(b) EVALUATION COMPONENTS.—The assessment and evaluation required under subsection (a) shall include the following components:

(1) A current assessment of reserve and National Guard support to Cyber Operations Forces.

(2) An enumeration and evaluation of various reserve, National Guard, auxiliary, and nontraditional support models which are applicable to cyberspace operations, including a consideration of models utilized domestically and internationally.

(3) A utility assessment of a dedicated reserve cadre specific to United States Cyber Command and Cyber Operations Forces.

(4) An analysis of the costs associated with the models evaluated pursuant to paragraph (2).

(5) An assessment of the recruitment programs necessary for implementation of the models evaluated pursuant to paragraph (2).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Principal Cyber Advisor of the Department of Defense, shall submit to the congressional defense committees a report on the assessment and evaluation required under subsection (a).

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

SEC. 1630. ESTABLISHMENT OF INTEGRATED CYBER CENTER.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall submit to the relevant congressional committees a report on Federal cybersecurity centers and the potential for better coordination of Federal cyber efforts at an integrated cyber center within the national cybersecurity and communications integration center of the Department of Homeland Security established pursuant to section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(b) CONTENTS.—To prepare the report required by subsection (a), the Secretary of Homeland Security shall aggregate information from components of the Department of Homeland Security with information provided to the Secretary of Homeland Security by the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence. Such aggregated information shall relate to the following topics:

(1) Any challenges regarding capacity and funding identified by the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Attorney General, the Secretary of Defense, or the Director of National Intelligence that negatively impact coordination with the national cybersecurity and communications integration center of the Department of Homeland Security in furtherance of the security and resilience of critical infrastructure.

(2) Distinct statutory authorities identified by the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, the Secretary of Defense, or the Director of National Intelligence that should not be leveraged by an integrated cyber center within the national cybersecurity and communications integration center.

(3) Any challenges associated with effective mission coordination and deconfliction between the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and other Federal agencies that could be addressed with the creation of an integrated cyber center within the national cybersecurity and communications integration center.

(4) How capabilities or missions of existing Federal cyber centers could benefit from greater integration or collocation to support cybersecurity collaboration with critical infrastructure at an integrated cyber center within the national cybersecurity and communications integration center, including the following Federal cyber centers:

(A) The National Security Agency's Cyber Threat Operations Center.

(B) United States Cyber Command's Joint Operations Center.

(C) The Office of the Director of National Intelligence's Cyber Threat Intelligence Integration Center.

(D) The Federal Bureau of Investigation's National Cyber Investigative Joint Task Force.

(E) The Department of Defense's Defense Cyber Crime Center.

(F) The Office of the Director of National Intelligence's Intelligence Community Security Coordination Center.

(c) ELEMENTS.—The report required under subsection (a) shall—

(1) identify any challenges regarding the Cybersecurity and Infrastructure Security Agency's current authorities, structure, resources, funding, ability to recruit and retain its workforce, or interagency coordination that negatively impact the ability of the Agency to fulfill its role as the central coordinator for critical infrastructure cybersecurity and resilience pursuant to its authorities under the Homeland Security Act of 2002, and information on how establishing an integrated cyber center within the national cybersecurity and communications integration center would address such challenges;

(2) identify any facility needs for the Cybersecurity and Infrastructure Security Agency to adequately host personnel, maintain sensitive compartmented information facilities, and other resources to serve as the primary coordinating body charged with forging whole-of-government, public-private collaboration in cybersecurity, pursuant to such authorities;

(3) identify any lessons from the United Kingdom's National Cybersecurity Center model to determine whether an integrated cyber center within the Cybersecurity and Infrastructure Security Agency should be similarly organized into an unclassified environment and a classified environment;

(4) recommend any changes to procedures and criteria for increasing and expanding the participation and integration of public- and private-sector personnel into Federal cyber defense and security efforts, including continuing limitations or hurdles in the security clearance program for private sector partners and integrating private sector partners into a Cybersecurity and Infrastructure Security Agency integrated cyber center; and

(5) propose policies, programs, or practices that could overcome challenges identified in the aggregated information under subsection (b), including the creation of an integrated cyber center within the national cybersecurity and communications integration center, accompanied by legislative proposals, as appropriate.

(d) PLAN.—Upon submitting the report pursuant to subsection (a), the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall develop a plan to establish an integrated cyber center within the national cybersecurity and communications integration center.

(e) ESTABLISHMENT.—Not later than one year after the submission of the report required under subsection (a), the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall begin establishing an integrated cyber center in the national cybersecurity and communications integration center.

(f) ANNUAL UPDATES.—Beginning one year after the submission of the report required under subsection (a) and annually thereafter, the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall submit to the relevant congressional committees updates regarding efforts to establish and operate an integrated cyber center in the national cybersecurity and communications integration center pursuant to subsection (e), including information on progress made toward overcoming any challenges identified in the report required by subsection (a).

(g) PRIVACY REVIEW.—The Privacy Officers of the Department of Homeland Security, the Department of Defense, the Department of Justice, and the Federal Bureau of Investigation, and the Director of National Intelligence shall review and provide to the relevant congressional committees comment, as appropriate, on each report and legislative proposal submitted under this section.

(h) DEFINITION.—In this section, the term ''relevant congressional committees'' means—

(1) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Committee on the Judiciary;

(C) the Permanent Select Committee on Intelligence; and

(D) the Committee on Homeland Security; and

(2) in the Senate—

(A) the Committee on Armed Services;

(B) the Committee on the Judiciary;

(C) the Select Committee on Intelligence; and

(D) the Committee on Homeland Security and Governmental Affairs.

SEC. 1631. CYBER THREAT INFORMATION COLLABORATION ENVIRONMENT.

(a) IN GENERAL.—In consultation with the Cyber Threat Data Standards and Interoperability Council established pursuant to subsection (d), the Secretary of Homeland Security, in coordination with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), shall develop an information collaboration environment and associated analytic tools that enable entities to identify, mitigate, and prevent malicious cyber activity to—

(1) provide limited access to appropriate operationally relevant data about cybersecurity risks and cybersecurity threats, including malware forensics and data from network sensor programs, on a platform that enables query and analysis;

(2) allow such tools to be used in classified and unclassified environments drawing on classified and unclassified data sets;

(3) enable cross-correlation of data on cybersecurity risks and cybersecurity threats at the speed and scale necessary for rapid detection and identification;

(4) facilitate a comprehensive understanding of cybersecurity risks and cybersecurity threats; and

(5) facilitate collaborative analysis between the Federal Government and private sector critical infrastructure entities and information and analysis organizations.

(b) IMPLEMENTATION OF INFORMATION COLLABORATION ENVIRONMENT.—

(1) EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in coordination with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), shall—

(A) identify, inventory, and evaluate existing Federal sources of classified and unclassified information on cybersecurity threats;

(B) evaluate current programs, applications, or platforms intended to detect, identify, analyze, and monitor cybersecurity risks and cybersecurity threats; and

(C) coordinate with private sector critical infrastructure entities and, as determined appropriate by the Secretary of Homeland Security, in consultation with the Secretary of Defense, other private sector entities, to identify private sector cyber threat capabilities, needs, and gaps.

(2) IMPLEMENTATION.—Not later than one year after the evaluation required under paragraph (1), the Secretary of Homeland Security, acting through the Director of the Cybersecurity and Infrastructure Security Agency, in coordination with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), shall begin implementation of the information collaboration environment developed pursuant to subsection (a) to enable participants in such environment to develop and run analytic tools referred to in such subsection on specified data sets for the purpose of identifying, mitigating, and preventing malicious cyber activity that is a threat to government and critical infrastructure. Such environment and use of such tools shall—

(A) operate in a manner consistent with relevant privacy, civil rights, and civil liberties policies and protections, including such policies and protections established pursuant to section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485);

(B) account for appropriate data standards and interoperability requirements, consistent with the standards set forth in subsection (d);

(C) enable integration of current applications, platforms, data, and information, including classified information, in a manner that supports integration of unclassified and classified information on cybersecurity risks and cybersecurity threats;

(D) incorporate tools to manage access to classified and unclassified data, as appropriate;

(E) ensure accessibility by entities the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), determines appropriate;

(F) allow for access by critical infrastructure stakeholders and other private sector partners, at the discretion of the Secretary of Homeland Security, in consultation with the Secretary of Defense;

(G) deploy analytic tools across classification levels to leverage all relevant data sets, as appropriate;

(H) identify tools and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and

(I) anticipate the integration of new technologies and data streams, including data from government-sponsored network sensors or network-monitoring programs deployed in support of State, local, Tribal, and territorial governments or private sector entities.

(c) ANNUAL REVIEW OF IMPACTS ON PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—The Secretary of Homeland Security and the Director of National Intelligence (acting through the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency, respectively) shall direct the Privacy, Civil Rights, and Civil Liberties Officers of their respective agencies, in consultation with Privacy, Civil Rights, and Civil Liberties Officers of other Federal agencies participating in the information collaboration environment, to conduct an annual review of the information collaboration environment for compliance with fair information practices and civil rights and civil liberties policies. Each such report shall be—

(1) unclassified, to the maximum extent possible, but may contain a non-public or classified annex to protect sources or methods and any other sensitive information restricted by Federal law;

(2) with respect to the unclassified portions of each such report, made available on the public internet websites of the Department of Homeland Security and the Office of the Director of National Intelligence—

(A) not later than 30 days after submission to the appropriate congressional committees; and

(B) in an electronic format that is fully indexed and searchable; and

(3) with respect to a classified annex, submitted to the appropriate congressional committees in an electronic format that is fully indexed and searchable.

(d) POST-DEPLOYMENT ASSESSMENT.—Not later than two years after the implementation of the information collaboration environment under subsection (b), the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intelligence (acting through the Director of the National Security Agency) shall jointly submit to te appropriate congressional committees an assessment of whether to include

additional entities, including critical infrastructure information sharing and analysis organizations, in such environment.

(e) CYBER THREAT DATA STANDARDS AND INTEROPERABILITY COUNCIL.—

(1) ESTABLISHMENT.—There is established an interagency council, to be known as the ''Cyber Threat Data Standards and Interoperability Council'' (in this subsection referred to as the ''council''), chaired by the Secretary of Homeland Security, to establish data standards and requirements for public and private sector entities to participate in the information collaboration environment developed pursuant to subsection (a).

(2) OTHER MEMBERSHIP.—

(A) PRINCIPAL MEMBERS.—In addition to the Secretary of Homeland Security, the council shall be composed of the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, the Secretary of Defense, and the Director of National Intelligence (acting through the Director of the National Security Agency).

(B) ADDITIONAL MEMBERS.—The President shall identify and appoint council members from public and private sector entities who oversee programs that generate, collect, or disseminate data or information related to the detection, identification, analysis, and monitoring of cybersecurity risks and cybersecurity threats, based on recommendations submitted by the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intelligence (acting through the Director of the National Security Agency).

(3) DATA STREAMS.—The council shall identify, designate, and periodically update programs that shall participate in or be interoperable with the information collaboration environment developed pursuant to subsection (a), which may include the following:

(A) Network-monitoring and intrusion detection programs.

(B) Cyber threat indicator sharing programs.

(C) Certain government-sponsored network sensors or network-monitoring programs.

(D) Incident response and cybersecurity technical assistance programs.

(E) Malware forensics and reverse-engineering programs.

(F) The defense industrial base threat intelligence program of the Department of Defense.

(4) DATA GOVERNANCE.—The council shall establish a committee comprised of the privacy officers of the Department of Homeland Security, the Department of Defense, and the National Security Agency. Such committee shall establish procedures and data governance structures, as necessary, to protect sensitive data, comply with Federal regulations and statutes, and respect existing consent agreements with private sector critical infrastructure entities that apply to critical infrastructure information.

(5) RECOMMENDATIONS.—The council shall, as appropriate, submit recommendations to the President to support the operation, adaptation, and security of the information collaboration environment developed pursuant to subsection (a).

(f) NO ADDITIONAL ACTIVITIES AUTHORIZED.—Nothing in section may be construed to—

(1) alter the responsibility of entities to follow guidelines issued pursuant to section 105(b) of the Cybersecurity Act of 2015 (6 U.S.C. 1504(b); enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113)) with respect to data obtained by an entity in connection with activities authorized under the Cybersecurity Act of 2015 and shared through the information collaboration environment developed pursuant to subsection (a); or

(2) authorize Federal or private entities to share information in a manner not already permitted by law.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) in the House of Representatives—

(i) the Permanent Select Committee on Intelligence;

(ii) the Committee on Homeland Security;

(iii) the Committee on the Judiciary; and

(iv) the Committee on Armed Services; and

(B) in the Senate—

(i) the Select Committee on Intelligence;

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

(iii) the Committee on the Judiciary; and

(iv) the Committee on Armed Services.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

(3) CRITICAL INFRASTRUCTURE INFORMATION.—The term ''critical infrastructure information'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(4) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' has the meaning given such term in section 102(6) of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(6))).

(5) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given such term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(6) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' has the meaning given such term in section 102(5) of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(5))).

(7) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term ''information sharing and analysis organization'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

SEC. 1632. DEFENSE INDUSTRIAL BASE PARTICIPATION IN A THREAT INTELLIGENCE SHARING PROGRAM.

(a) DEFINITION.—In this section, the term ''defense industrial base'' means the worldwide industrial complex with capabilities to perform research and development, design, produce, deliver, and maintain military weapon systems, subsystems, components, or parts to meet military requirements.

(b) DEFENSE INDUSTRIAL BASE THREAT INTELLIGENCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall establish a threat intelligence program to share with and obtain from the defense industrial base information and intelligence on threats to national security.

(2) PROGRAM REQUIREMENTS.—At a minimum, the Secretary of Defense shall ensure the threat intelligence sharing program established pursuant to paragraph (1) includes the following:

(A) Cybersecurity incident reporting requirements that—

(i) extend beyond current mandatory incident reporting requirements;

(ii) set specific timeframes for all categories of such mandatory incident reporting; and

(iii) create a single clearinghouse for all such mandatory incident reporting to the Department of Defense, including covered unclassified information, covered defense information, and classified information.

(B) A mechanism for developing a shared and real-time picture of the threat environment.

(C) Joint, collaborative, and co-located analytics.

(D) Investments in technology and capabilities to support automated detection and analysis across the defense industrial base.

(E) Coordinated intelligence sharing with relevant domestic law enforcement and counterintelligence agencies, in coordination, respectively, with the Director of the Federal Bureau of Investigation and the Director of National Intelligence.

(F) A process for direct sharing of threat intelligence related to a specific defense industrial base entity with such entity.

(3) EXISTING INFORMATION SHARING PROGRAMS.—The Secretary of Defense may utilize an existing Department of Defense information sharing program to satisfy the requirement under paragraph (1) if such existing program includes, or is modified to include, two-way sharing of threat information that is specifically relevant to the defense industrial base, including satisfying the requirements specified in paragraph (2).

(4) INTELLIGENCE QUERIES.—As part of a threat intelligence sharing program under this subsection, the Secretary of Defense shall require defense industrial base entities holding a Department of Defense contract to consent to queries of foreign intelligence collection databases related to such entity as a condition of such contract.

(c) THREAT INTELLIGENCE PROGRAM PARTICIPATION.—

(1) PROHIBITION ON PROCUREMENT.—Beginning on the date that is than one year after the date of the enactment of this Act, the Secretary of Defense may not procure or acquire, or extend or renew a contract to procure or acquire, any item, equipment, system, or service from any entity that is not a participant in—

(A) the threat intelligence sharing program established pursuant paragraph (1) of subsection (b); or

(B) a comparably widely-utilized threat intelligence sharing program described in paragraph (3) of such subsection.

(2) APPLICATION TO SUBCONTRACTORS.—No entity holding a Department of Defense contract may subcontract any portion of such contract to another entity unless that second entity—

(A) is a participant in a threat intelligence sharing program under this section; or

(B) has received a waiver pursuant to subsection (d).

(3) IMPLEMENTATION.—In implementing the prohibition under paragraph (1), the Secretary of Defense—

(A) may create tiers of requirements and participation within the applicable threat intelligence sharing program referred to in such paragraph based on—

(i) an evaluation of the role of and relative threats related to entities within the defense industrial base; and

(ii) cybersecurity maturity model certification level; and

(B) shall prioritize available funding and technical support to assist entities as is reasonably necessary for such entities to participate in a threat intelligence sharing program under this section.

(d) WAIVER AUTHORITY.—

(1) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (b)—

(A) with respect to an entity or class of entities, if the Secretary determines that the requirement to participate in a threat intelligence sharing program under this section is unnecessary to protect the interests of the United States; or

(B) at the request of an entity, if the Secretary determines there is compelling justification for such waiver.

(2) PERIODIC REEVALUATION.—The Secretary of Defense shall periodically reevaluate any waiver issued pursuant to paragraph (1) and promptly revoke any waiver the Secretary determines is no longer warranted.

(e) REGULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such rules and regulations as are necessary to carry out this section.

(2) CMMC HARMONIZATION.—The Secretary of Defense shall ensure that the threat intelligence sharing program requirements set forth in the rules and regulations promulgated pursuant to paragraph (1) consider an entity's maturity and role within the defense industrial base, in accordance with the maturity certification levels established in the Department of Defense Cybersecurity Maturity Model Certification program.

SEC. 1633. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS RELATING TO CYBERSECURITY.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense, in consultation with the Director of the National Institute of Standards and Technology, may award financial assistance to a Center for the purpose of providing cybersecurity services to small manufacturers.

(b) CRITERIA.—If the Secretary carries out subsection (a), the Secretary, in consultation with the Director, shall establish and publish on the grants.gov website, or successor website, criteria for selecting recipients for financial assistance under this section.

(c) USE OF FINANCIAL ASSISTANCE.—Financial assistance under this section—

(1) shall be used by a Center to provide small manufacturers with cybersecurity services relating to—

(A) compliance with the cybersecurity requirements of the Department of Defense Supplement to the Federal Acquisition Regulation, including awareness, assessment, evaluation, preparation, and implementation of cybersecurity services; and

(B) achieving compliance with the Cybersecurity Maturity Model Certification framework of the Department of Defense; and

(2) may be used by a Center to employ trained personnel to deliver cybersecurity services to small manufacturers.

(d) BIENNIAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once every two years, the Secretary shall submit to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a biennial report on financial assistance awarded under this section.

(2) CONTENTS.—To the extent practicable, each report submitted under paragraph (1) shall include the following with respect to the years covered by the report:

(A) The number of small manufacturing companies assisted.

(B) A description of the cybersecurity services provided.

(C) A description of the cybersecurity matters addressed.

(D) An analysis of the operational effectiveness and cost-effectiveness of the cybersecurity services provided.

(e) TERMINATION.—The authority of the Secretary to award of financial assistance under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(f) DEFINITIONS.—In this section:

(1) The term ''Center'' has the meaning given such term in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

(2) The term ''small manufacturer'' has the meaning given that tern in section 1644(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2224 note).

SEC. 1634. DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING AND SENSING, DISCOVERY, AND MITIGATION.

(a) DEFINITION.—In this section:

(1) DEFENSE INDUSTRIAL BASE.—The term ''defense industrial base'' means the worldwide industrial complex with capabilities to perform research and development, design, produce, deliver, and maintain military weapon systems, subsystems, components, or parts to meet military requirements.

(2) ADVANCED DEFENSE INDUSTRIAL BASE.—The term ''advanced defense industrial base'' means any entity in the defense industrial base holding a Department of Defense contract that requires a cybersecurity maturity model certification of level 4 or higher.

(b) DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING STUDY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a study of the feasibility and resourcing required to establish the Defense Industrial Base Cybersecurity Threat Hunting Program (in this section referred to as the ''Program'') described in subsection (c).

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) establish the resources necessary, governance structures, and responsibility for execution of the Program, as well as any other relevant considerations determined by the Secretary;

(B) include a conclusive determination of the Department of Defense's capacity to establish the Program by the end of fiscal year 2021; and

(C) identify any barriers that would prevent such establishment.

(c) DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING PROGRAM.—

(1) IN GENERAL.—Upon a positive determination of the Program's feasibility pursuant to the study required under subsection (b), the Secretary of Defense shall establish the Program to actively identify cybersecurity threats and vulnerabilities within the information systems, including covered defense networks containing controlled unclassified information, of entities in the defense industrial base.

(2) PROGRAM LEVELS.—In establishing the Program in accordance with paragraph (1), the Secretary of Defense shall develop a tiered program that takes into account the following:

(A) The cybersecurity maturity of entities in the defense industrial base.

(B) The role of such entities.

(C) Whether each such entity possesses controlled unclassified information and covered defense networks.

(D) The covered defense information to which such an entity has access as a result of contracts with the Department of Defense.

(3) PROGRAM REQUIREMENTS.—The Program shall—

(A) include requirements for mitigating any vulnerabilities identified pursuant to the Program;

(B) provide a mechanism for the Department of Defense to share with entities in the defense industrial base malicious code, indicators of compromise, and insights on the evolving threat landscape;

(C) provide incentives for entities in the defense industrial base to share with the Department of Defense, including the National Security Agency's Cybersecurity Directorate, threat and vulnerability information collected pursuant to threat monitoring and hunt activities; and

(D) mandate a minimum level of program participation for any entity that is part of the advanced defense industrial base.

(d) THREAT IDENTIFICATION PROGRAM PARTICIPATION.—

(1) PROHIBITION ON PROCUREMENT.—If the Program is established pursuant to subsection (c), beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may not procure or obtain, or extend or renew a contract to procure or obtain, any item, equipment, system, or service from any entity in the defense industrial base that is not in compliance with the requirements of the Program.

(2) IMPLEMENTATION.—In implementing the prohibition under paragraph (1), the Secretary of Defense shall prioritize available funding and technical support to assist affected entities in the defense industrial base as is reasonably necessary for such affected entities to commence participation in the Program and satisfy Program requirements.

(3) WAIVER AUTHORITY.—

(A) WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1)—

(i) with respect to an entity or class of entities in the defense industrial base, if the Secretary determines that the requirement to participate in the Program is unnecessary to protect the interests of the United States; or

(ii) at the request of such an entity, if the Secretary determines there is a compelling justification for such waiver.

(B) PERIODIC REEVALUATION.—The Secretary of Defense shall periodically reevaluate any waiver issued pursuant to subparagraph (A) and revoke any such waiver the Secretary determines is no longer warranted.

(e) USE OF PERSONNEL AND THIRD-PARTY THREAT HUNTING AND SENSING CAPABILITIES.—In carrying out the Program, the Secretary of Defense may—

(1) utilize Department of Defense personnel to hunt for threats and vulnerabilities within the information systems of entities in the defense industrial base that have an active contract with Department of Defense;

(2) certify third-party providers to hunt for threats and vulnerabilities on behalf of the Department of Defense;

(3) require the deployment of network sensing technologies capable of identifying and filtering malicious network traffic; or

(4) employ a combination of Department of Defense personnel and third-party providers and tools, as the Secretary determines necessary and appropriate, for the entity described in paragraph (1).

(f) REGULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such rules and regulations as are necessary to carry out this section.

(2) CMMC HARMONIZATION.—In promulgating rules and regulations pursuant to paragraph (1), the Secretary of Defense shall consider how best to integrate the requirements of this section with the Department of Defense Cybersecurity Maturity Model Certification program.

SEC. 1635. DEFENSE DIGITAL SERVICE.

(a) RELATIONSHIP WITH UNITED STATES DIGITAL SERVICE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the United States Digital Service shall establish a direct relationship between the Department of Defense and the United States Digital Service to address authorities, hiring processes, roles, and responsibilities.

(b) CERTIFICATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the United States Digital Service shall jointly certify to the congressional defense committees that the skills and qualifications of the Department of Defense personnel assigned to and supporting the core functions of the Defense Digital Service are consistent with the skills and qualifications United States Digital Service personnel.

SEC. 1636. LIMITATION OF FUNDING FOR NATIONAL DEFENSE UNIVERSITY.

Of the funds authorized to be appropriated by this Act for fiscal year 2021 for the National Defense University, not more than 60 percent of such funds may be obligated or expended until the Joint Staff and the National Defense University present to the congressional defense committees the following:

(1) A comprehensive plan for resourcing and growing the student population of the College of Information and Cyberspace, including by—

(A) enrolling a minimum of 350 cyber workforce students per academic year; and

(B) graduating a minimum of 42 students (including a minimum of 28 United States military students) in the Joint Professional Military Education Phase II War College 10- month resident program in fiscal year 2021, and implementing a plan to graduate a minimum of 70 students (including a minimum of 50 United

States military and civilian students) in fiscal year 2023 and in each year thereafter through the Future Year Defense Program.

(2) Budget documents for the Future Year Defense Program which show funding for the College of Information and Cyberspace to support the comprehensive plan described in subsection (a).

(3) A comprehensive presentation of how programs of study on cyber-related matters are being expanded and integrated into Joint Professional Military Education at all National Defense University constituent colleges.

Subtitle D—Nuclear Forces

SEC. 1641. COORDINATION IN TRANSFER OF FUNDS BY DEPARTMENT OF DEFENSE TO NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Section 179(f)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Secretary of Defense and the Secretary of Energy shall ensure that a transfer of estimated nuclear budget request authority is carried out in a manner that provides for coordination between the Secretary of Defense and the Administrator for Nuclear Security using appropriate interagency processes during the process in which the Secretaries develop the budget materials of the Department of Defense and the National Nuclear Security Administration, including by beginning such coordination by not later than June 30 for such budget materials that will be submitted during the following year.''.

(b) REPORTS.—Subparagraph (B) of such section is amended by adding at the end the following new clause:

''(iv) A description of the total amount of the proposed estimated nuclear budget request authority to be transferred by the Secretary of Defense to the Secretary of Energy to support the weapons activities of the National Nuclear Security Administration, including—

''(A) identification of any trade-offs made within the budget of the Department of Defense as part of such proposed transfer; and

''(B) a certification made jointly by the Secretaries that such proposed transfer was developed in a manner that allowed for the coordination described in subparagraph (D).''.

SEC. 1642. EXERCISES OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) REQUIREMENT.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 499b. Exercises of nuclear command, control, and communications system

''(a) REQUIRED EXERCISES.—Except as provided by subsection (b), beginning 2021, the President shall participate in a large-scale exercise of the nuclear command, control, and communications system during the first year of each term of the President, and may participate in such additional exercises as the President determines appropriate.

''(b) WAIVER.—The President may waive, on a case-by-case basis, the requirement to participate in an exercise under subsection (a) if the President—

''(1) determines that participating in such an exercise is infeasible by reason of a war declared by Congress, a national emergency declared by the President or Congress, a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), or other similar exigent circumstance; and

''(2) submits to the congressional defense committees a notice of the waiver and a description of such determination.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''499b. Exercises of nuclear command, control, and communications system.''.

SEC. 1643. INDEPENDENT STUDIES ON NUCLEAR WEAPONS PROGRAMS OF CERTAIN FOREIGN STATES.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the nuclear weapons programs of covered foreign countries.

(b) MATTERS INCLUDED.—The study under subsection (a) shall compile open-source data to conduct an analysis of the following for each covered foreign country:

(1) The activities, budgets, and policy documents, regarding the nuclear weapons program.

(2) The known research and development activities with respect to nuclear weapons.

(3) The inventories of nuclear weapons and delivery vehicles with respect to both deployed and nondeployed weapons.

(4) The capabilities of such nuclear weapons and delivery vehicles.

(5) The physical sites used for nuclear processing, testing, and weapons integration.

(6) The human capital of the scientific and technical workforce involved in nuclear programs, including with respect to matters relating to the education, knowledge, and technical capabilities of that workforce.

(7) The known deployment areas for nuclear weapons.

(8) Information with respect to the nuclear command and control system.

(9) The factors and motivations driving the nuclear weapons program and the nuclear command and control system.

(10) Any other information that the federally funded research and development center determines appropriate.

(c) SUBMISSION TO DOD.—Not later than 14 months after the date of the enactment of this Act, and each year thereafter for the following two years, the federally funded research and development center shall submit to the Secretary the study under subsection (a) and any updates to the study.

(d) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives the study under subsection (a) or updates to the study, the Secretary shall submit to the appropriate congressional committees the study or such updates, without change.

(e) PUBLIC RELEASE.—The federally funded research and development center shall maintain an internet website on which the center—

(1) publishes the study under subsection (a) by not later than 30 days after the date on which the Secretary receives the study under subsection (c); and

(2) provides on an ongoing basis commentaries, analyses, updates, and other information regarding the nuclear weapons of covered foreign countries.

(f) FORM.—The study under subsection (a) shall be in unclassified form.

(g) MODIFICATION TO REPORT ON NUCLEAR FORCES OF THE UNITED STATES AND NEAR-PEER COUNTRIES.—Section 1676 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1778) is amended—

(1) in subsection (a), by striking ''Not later than February 15, 2020, the Secretary of Defense, in coordination with the Director of National Intelligence, shall'' and inserting ''Not later than February 15, 2020, and each year thereafter through 2023, the Secretary of Defense and the Director of National Intelligence shall jointly''; and

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

''(4) With respect to the current and planned nuclear systems specified in paragraphs (1) through (3), the factors and motivations driving the development and deployment of the systems.''.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) The term ''covered foreign country'' means each of the following:

(A) China.

(B) North Korea.

(C) Russia.

(3) The term ''open-source data'' includes data derived from, found in, or related to any of the following:

(A) Geospatial information.

(B) Seismic sensors.

(C) Commercial data.

(D) Public government information.

(E) Academic journals and conference proceedings.

(F) Media reports.

(G) Social media.

Subtitle E—Missile Defense Programs

SEC. 1651. EXTENSION AND MODIFICATION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339), as amended by section 1688 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144), is amended—

(1) in paragraph (1), by striking ''through 2020'' and inserting ''through 2025''; and

(2) in paragraph (2)—

(A) by striking ''through 2021'' and inserting ''through 2026''; and

(B) by adding at the end the following new sentence: ''In carrying out this subsection, the Comptroller General shall review emergent issues relating to such programs and accountability and, in consultation with the congressional defense committees, either include any findings from the review in the reports submitted under this paragraph or provide to such committees a briefing on the findings.''.

SEC. 1652. EXTENSION OF TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.

Section 1676(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended by striking ''2021'' and inserting ''2023''.

SEC. 1653. DEVELOPMENT OF HYPERSONIC AND BALLISTIC MISSILE TRACKING SPACE SENSOR PAYLOAD.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1683 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), requires the Director of the Missile Defense Agency to develop a hypersonic and ballistic tracking space sensor payload to address missile defense tracking requirements.

(B) The budget of the President for fiscal year 2021 submitted under section 1105 of title 31, United States Code, did not provide any funding for the Missile Defense Agency to continue the development of such sensor payload.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) regardless of the overall architecture for a missile defense tracking space layer, the Director of the Missile Defense Agency should remain the material developer for the hypersonic and ballistic tracking space sensor payload to ensure that—

(i) unique hypersonic and ballistic missile tracking requirements are met; and

(ii) the system can be integrated into the existing missile defense system command and control,

battle management, and communications system; and

(B) the Secretary of Defense should ensure transparency of funding for this effort to ensure proper oversight can be conducted on this critical capability.

(b) LIMITATION.—Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1683 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by adding at the end the following new paragraph:

''(3) LIMITATION.—Of the funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2021 or otherwise made available for fiscal year 2021 for operation and maintenance, Defense-wide, for the Space Defense Agency, not more than 50 percent may be obligated or expended until the date on which the Secretary submits the certification under paragraph (2)(B).''.

(c) COORDINATION.—Subsection (a) of such section is amended by striking ''the Commander of the Air Force Space Command and'' and inserting ''the Chief of Space Operations, the Commander of the United States Space Command, the Commander of the United States Northern Command, and''.

SEC. 1654. ANNUAL CERTIFICATION ON HYPERSONIC AND BALLISTIC MISSILE TRACKING SPACE SENSOR PAYLOAD.

(a) FINDING; SENSE OF CONGRESS.—

(1) FINDING.—Congress finds that the budget submitted by the President under section 1105(a) of title 31, United States Code, for fiscal year 2021 does not fully fund an operational capability for the hypersonic and ballistic missile tracking space sensor within the tracking layer of the persistent space-based sensor architecture of the Space Development Agency, despite such space sensor being a requirement by the combatant commanders and being highlighted as a needed capability against both hypersonic and ballistic threats in the Missile Defense Review published in 2019.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Missile Defense Agency hypersonic and ballistic missile tracking space sensor must be prioritized within the persistent space-based sensor architecture of the Space Development Agency to ensure the delivery of capabilities to the warfighter as soon as possible.

(b) ANNUAL CERTIFICATION.—Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1653, is further amended by adding at the end the following new paragraph:

''(4) ANNUAL CERTIFICATION.—On an annual basis until the date on which the hypersonic and ballistic tracking space sensor payload achieves full operational capability, the Secretary of Defense, without delegation, shall submit to the appropriate congressional committees a certification that—

''(A) the most recent future-years defense program submitted under section 221 of title 10, United States Code, includes estimated expenditures and proposed appropriations in amounts necessary to ensure the development and deployment of such space sensor payload as a component of the sensor architecture developed under subsection (a); and

''(B) the Commander of the United States Space Command has validated both the ballistic and hypersonic tracking requirements of, and the timeline to deploy, such space sensor payload.''.

SEC. 1655. ALIGNMENT OF THE MISSILE DEFENSE AGENCY WITHIN THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) Since the Missile Defense Agency was aligned to be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering pursuant to section 205(b) of title 10, United States Code, the advanced technology development budget requests in the defense budget materials (as defined in section 231(f) of title 10, United States Code) have decreased by more than 650 percent, from a request for $292,000,000 for fiscal year 2018 (the highest such request) to a request for $45,000,000 for fiscal year 2021.

(2) The overwhelming majority of the budget of the Missile Defense Agency is invested in programs that would be categorized as acquisition category 1 efforts if such programs were administered under the acquisition standards under Department of Defense Directive 5000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in light of the findings under subsection (a), upon the completion of the independent review of the organization of the Missile Defense Agency required by section 1688 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1787), the Secretary of Defense should reassess the alignment of the Agency within the Department of Defense to ensure that missile defense efforts are being given proper oversight and that the Agency is focused on delivering capability to address current and future threats.

(c) REPORT.—Not later than February 28, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the alignment of the Missile Defense Agency within the Department of Defense. The report shall include—

(1) a description of the risks and benefits of both—

(A) continuing the alignment of the Agency under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering pursuant to section 205(b) of title 10, United States Code; and

(B) realigning the Agency to be under the authority, direction, and control of the Under Secretary of Defense for Acquisition and Sustainment; and

(2) if the Agency were to be realigned, the actions that would need to be taken to realign the Agency to be under the authority, direction, and control of the Under Secretary of Defense for Acquisition and Sustainment or another element of the Department of Defense.

SEC. 1656. ANALYSIS OF ALTERNATIVES FOR HOMELAND MISSILE DEFENSE MISSIONS.

(a) ANALYSIS OF ALTERNATIVES.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation, in coordination with the Secretary of the Navy, the Secretary of the Army, and the Director of the Missile Defense Agency, shall conduct an analysis of alternatives with respect to a complete architecture for using the regional terminal high altitude area defense system and the Aegis ballistic missile defense system to conduct homeland defense missions.

(2) SCOPE.—The analysis of alternatives under paragraph (1) shall include the following:

(A) The sensors needed for the architecture described in such paragraph.

(B) An assessment of the locations of each system included in the analysis to provide similar coverage as the ground-based midcourse defense system, including, with respect to such systems that are land-based, by giving preference to locations with completed environmental impact analyses conducted pursuant to section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1678), to the extent practicable.

(C) The acquisition objectives for interceptors of the terminal high altitude area defense system and standard missile–3 interceptors for homeland defense purposes.

(D) Any improvements needed to the missile defense system command and control, battle management, and communications system.

(E) The manning, training, and sustainment needed to support such architecture.

(F) A detailed schedule for the development, testing, production, and deployment of such systems.

(G) A lifecycle cost estimate of such architecture.

(H) A comparison of the capabilities, costs, schedules, and policies with respect to—

(i) deploying regional systems described in subsection (a) to conduct homeland defense missions; and

(ii) deploying future ground-based midcourse defense systems for such missions.

(3) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(A) the analysis of alternatives under paragraph (1); and

(B) a certification by the Secretary that such analysis is sufficient.

(b) ASSESSMENT.—Not later than February 28, 2021, the Director of the Defense Intelligence Agency, and the head of any other element of the intelligence community that the Secretary of Defense determines appropriate, shall submit to the congressional defense committees an assessment of the following:

(1) How the development and deployment of regional terminal high altitude area defense systems and Aegis ballistic missile defense systems to conduct longer-range missile defense missions would be perceived by near-peer foreign countries and rogue nations.

(2) How such near-peer foreign countries and rogue nations would likely respond to such deployments.

SEC. 1657. NEXT GENERATION INTERCEPTORS.

(a) NOTIFICATION OF CHANGED REQUIREMENTS.—During the acquisition and development process of the next generation interceptor program, not later than seven days after the date on which any changes are made to the requirements for such program that are established in the equivalent to capability development documentation, the Director of the Missile Defense Agency shall notify the congressional defense committees of such changes.

(b) BRIEFING ON CONTRACT.—Not later than 14 days after the date on which the Director awards a contract for the next generation interceptor, the Director shall provide the congressional defense committees a briefing on such contract, including with respect to the cost, schedule, performance, and requirements of the contract.

(c) REPORT ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Under Secretary of Defense for Policy, the Director of the Missile Defense Agency, and the Commander of the United States Northern Command, shall submit to the congressional defense committees a report on the ground-based midcourse defense system.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An explanation of how contracts in existence as of the date of the report could be used to reestablish improvements and sustainment for kill vehicles and boosters for the ground-based midcourse defense system.

(B) An explanation of how such system could be improved through service life extensions or pre-planned product improvements to address some of the requirements of the next generation interceptor by 2026, including an identification of the costs, schedule, and any risks.

(C) A description of the costs and schedule with respect to restarting booster production to field 20 additional interceptors by 2026.

(D) An analysis of policy implications with respect to the requirements for the ground-based midcourse defense system.

SEC. 1658. OVERSIGHT OF NEXT GENERATION INTERCEPTOR PROGRAM.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that the Secretary of Defense discovered major technical problems with the redesigned kill vehicle program, which led to cancelling the program in August 2019 and caused significant delays to the improved defense of the United States against rogue nation ballistic missile threats and wasted $1,200,000,000.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should ensure robust oversight and accountability for the acquisition of the future next generation interceptor program to avoid making the same errors that were experienced in the redesigned kill vehicle effort.

(b) INDEPENDENT COST ASSESSMENT AND VALIDATION.—

(1) ASSESSMENT.—The Director of Cost Assessment and Program Evaluation shall conduct an independent cost assessment of the next generation interceptor program.

(2) VALIDATION.—The Under Secretary of Defense for Acquisition and Sustainment shall validate the preliminary cost assessment conducted under paragraph (1) that will be used to inform the award of the contract for the next generation interceptor.

(3) SUBMISSION.—Not later than the date on which the Director of the Missile Defense Agency awards a contract for the next generation interceptor, the Secretary of Defense shall submit to the congressional defense committees a report containing the preliminary independent cost assessment under paragraph (1) and the validation under paragraph (2).

(c) FLIGHT TESTS.—In addition to the requirements of section 2399 of title 10, United States Code, the Director of the Missile Defense Agency may not make any decision regarding the initial production, or equivalent, of the next generation interceptor unless the Director has—

(1) certified to the congressional defense committees that the Director has conducted not fewer than two successful intercept flight tests of the next generation interceptor; and

(2) provided to such committees a briefing on the details of such tests, including with respect to the operational realism of such tests.

SEC. 1659. MISSILE DEFENSE COOPERATION BETWEEN THE UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the strong and enduring relationship between the United States and Israel is in the national security interest of both countries;

(2) the memorandum of understanding signed by the United States and Israel on September 14, 2016, including the provisions of the memorandum relating to missile and rocket defense cooperation, continues to be a critical component of the bilateral relationship;

(3) the United States and Israel should continue government-to-government collaboration and information sharing of technical data to investigate the potential operational use of Israeli missile defense systems for United States purposes; and

(4) in addition to the existing Israeli missile defense interceptor systems, there is potential for developing and incorporating directed energy platforms to assist the missile defense capabilities of both the United States and Israel.

(b) COOPERATION.—The Secretary of Defense may seek to extend existing cooperation with Israel to carry out, on a joint basis with Israel, research, development, test, and evaluation activities to establish directed energy capabilities that address missile threats to the United States, the deployed members of the Armed Forces of the United States, or Israel. The Secretary shall ensure that any such activities are conducted—

(1) in accordance with Federal law and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, signed at Geneva October 10, 1980; and

(2) in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel.

SEC. 1660. REPORT ON DEFENSE OF GUAM FROM INTEGRATED AIR AND MISSILE THREATS.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a study on the defense of Guam from integrated air and missile threats, including such threats from ballistic, hypersonic, and cruise missiles.

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

(1) The identification of existing deployed land- and sea-based air and missile defense programs of record within the military departments and Defense Agencies, including with respect to interceptors, radars, and ground-, ship-, air,- and space-based sensors that could be used either alone or in coordination with other systems to counter the threats specified in subsection (a) with an initial operational capability by 2025.

(2) A plan of how such programs would be used to counter such threats with an initial operational capability by 2025.

(3) A plan of which programs currently in development but not yet deployed could enhance or substitute for existing programs in countering such threats with an initial operational capability by 2025.

(4) An analysis of which military department, Defense Agency, or combatant command would have operational control of the mission to counter such threats.

(5) A cost analysis of the various options described in paragraphs (1) and (3), including a breakdown of the cost of weapons systems considered under the various scenarios (including any costs to modify the systems), the cost benefits gained through economies of scale, and the cost of any military construction required.

(6) An analysis of the policy implications regarding deploying additional missile defense systems on Guam, and how such deployments could affect strategic stability, including likely responses from both rogue nations and near-peer competitors.

(c) CONSULTATION.—The Secretary shall carry out this section in consultation with each of the following:

(1) The Director of the Missile Defense Agency.

(2) The Commander of the United States Indo-Pacific Command.

(3) The Commander of the United States Northern Command.

(4) Any other official whom the Secretary of Defense determines for purposes of this section has significant technical, policy, or military expertise.

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

(e) BRIEFING.—Not later than 30 days after the date on which the Secretary submits to the congressional defense committees the report under subsection (a), the Secretary shall provide to such committees a briefing on the report.

SEC. 1661. REPORT ON CRUISE MISSILE DEFENSE.

Not later than January 15, 2021, the Commander of the United States Northern Command, in coordination with the Director of the Missile Defense Agency, shall submit to the congressional defense committees a report containing—

(1) an identification of any vulnerability of the contiguous United States to known cruise missile threats; and

(2) a plan to mitigate any such vulnerability.

Subtitle F—Other Matters

SEC. 1671. CONVENTIONAL PROMPT GLOBAL STRIKE.

(a) INTEGRATION.—Section 1697(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1791) is amended by adding at the end the following new sentence: ''The Secretary shall initiate such transfer of technologies to DDG–1000 class destroyers by not later than January 1, 2021.''.

(b) REPORT ON STRATEGIC HYPERSONIC WEAPONS.—

(1) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff, in coordination with the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a report on strategic hypersonic weapons.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A discussion of the authority to use strategic hypersonic weapons and if, and how, such authorities would be delegated to the commanders of the combatant commands or to the Chiefs of the Armed Forces.

(B) An assessment of escalation and miscalculation risks (including the risk that adversaries may detect initial launch but not reliably detect the entire boost-glide trajectory), how such risks will be addressed and minimized with regards to the use of strategic hypersonic weapons, and whether any risk escalation exercises have been conducted or are planned for the potential use of hypersonic weapons.

(C) A description of any updates needed to war plans with the introduction of strategic hypersonic weapons.

(D) Identification of the element of the Department of Defense that has responsibility for establishing targeting requirements for strategic hypersonic weapons.

(E) A description of how the requirements for land- and sea-based strategic hypersonic weapons will be addressed with the Joint Requirements Oversight Council, and how such requirements will be formally provided to the military departments procuring such weapons through an acquisition program described under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note).

(F) A basing strategy for land-based launch platforms and a description of the actions needed to be taken for future deployment of such platforms.

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

(c) ANNUAL REPORTS ON ACQUISITION.—

(1) ARMY AND NAVY PROGRAMS.—Except as provided by paragraph (3), not later than 30 days after the date on which the budget of the President for each of fiscal years 2022 through 2025 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees a report on the conventional prompt global strike programs of the Army and the Navy, including—

(A) the total costs to the respective military departments for such programs;

(B) the strategy for such programs with respect to manning, training, and equipping, including cost estimates; and

(C) a testing strategy and schedule for such programs.

(2) CERTIFICATIONS.—Not later than 60 days after the date on which the budget of the President for each of fiscal years 2022 through 2025 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees a certification regarding the sufficiency, including any anomalies, with respect to—

(A) the total program costs of the conventional prompt global strike programs of the Army and the Navy; and

(B) the testing strategy for such programs.

(3) TERMINATION.—The requirement to submit a report under paragraph (1) shall terminate on the date on which the Secretary of Defense determines that the conventional prompt global

strike programs of the Army and the Navy are unable to be acquired under the authority of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note).

SEC. 1672. SUBMISSION OF REPORTS UNDER MISSILE DEFENSE REVIEW AND NUCLEAR POSTURE REVIEW.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

(1) each report produced by the Department of Defense pursuant to the Missile Defense Review published in 2019; and

(2) each report produced by the Department pursuant to the Nuclear Posture Review published in 2018.

SEC. 1673. REPORT ON CONSIDERATION OF RISKS OF INADVERTENT ESCALATION TO NUCLEAR WAR.

(a) REPORT.—Not later than January 31, 2021, the Under Secretary of Defense for Policy shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report—

(1) detailing the efforts of the Department of Defense with respect to developing and implementing guidance to ensure that the risks of inadvertent escalation to a nuclear war are considered within the decision-making processes of the Department regarding relevant activities (such as developing contingency plans, managing military crises and conflicts, and supporting the Department of State in the development, negotiation, and implementation of cooperative risk-reduction measures); and

(2) identifying the capabilities and factors taken into account in developing such guidance.

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

(c) BRIEFING.—Not later than December 1, 2020, the Under Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the progress and findings made in carrying out subsection (a).

TITLE XVII—REPORTS AND OTHER MATTERS

Subtitle A—Studies and Reports

SEC. 1701. REVIEW OF SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of all support provided, or planned to be provided, under section 127e of title 10, United States Code. Such review shall include an analysis of each of the following:

(1) The strategic alignment between such support and relevant Executive Orders, global campaign plans, theatre campaign plans, execute orders, and other guiding documents for currency, relevancy, and efficacy.

(2) The extent to which United States Special Operations Command has the processes and procedures to manage, integrate, and synchronize the authority under section 127e of title 10, United States Code, in support of the objectives and priorities specified by the documents listed in (a)(1) as well as the objectives and priorities of—

(A) the geographic combatant commands;

(B) theatre elements of United States Special Operations Command;

(C) relevant chiefs of mission and other appropriate positions in the Department of State; and

(D) any other interagency organization affected by the use of such authority.

(3) For the activities carried out pursuant to such authority, the extent to which United States Special Operations Command has the processes and procedures to—

(A) determine the professionalism, cohesion, and institutional capacity of the military in the country where forces receiving support are based;

(B) determine the adherence of the forces receiving support to human rights norms and the laws of armed conflict;

(C) establish measures of effectiveness;

(D) assess such activities against established measures of effectiveness as identified in subparagraph (C);

(E) establish criteria to determine the successful completion of such activities;

(F) deconflict and synchronize activities conducted under such authority with other relevant funding authorities;

(G) deconflict and synchronize activities conducted under such authorities with other relevant activities conducted by organizations related to, but outside the purview of, the Department of Defense; and

(H) track the training, support, and facilitation provided to forces receiving support, and the significant activities undertaken by such forces as a result of such training, support, and facilitation.

(4) The extent to which United States Special Operations Command has processes and procedures to manage the sunset, termination, or transition of activities carried out pursuant to such authority, including—

(A) accountability with respect to equipment provided; and

(B) integrity of the tactics, techniques, and procedures developed.

(5) The extent to which United States Special Operations Command has and uses processes and procedures to—

(A) report to Congress biannually on the matters referred to in paragraph (3); and

(B) notify Congress with respect to the intent to sunset, terminate, or transition activities carried out pursuant to such authority.

(6) Any other issues the Comptroller General determines appropriate with respect to the authority under section 127e of title 10, United States Code.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide for the Committees on Armed Services of the Senate and House of Representatives a briefing on the progress of the review required under subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings of the review required under subsection (a) and the recommendations of the Comptroller General pursuant to such review.

(d) SUPPORT DEFINED.—In this section, the term ''support'' includes—

(1) personnel who provide capacity for—

(A) training and equipment;

(B) training, advice, and assistance; or

(C) advice, assistance, and accompaniment capacity;

(2) financial assistance; and

(3) equipment and weapons.

SEC. 1702. FFRDC STUDY OF EXPLOSIVE ORDNANCE DISPOSAL AGENCIES.

(a) IN GENERAL.—The Secretary of Defense shall enter into an agreement with a federally funded research and development corporation under which such corporation shall conduct a study of the responsibilities, authorities, policies, programs, resources, organization, and activities of the explosive ordnance disposal agencies of the Department of Defense, Defense Agencies, and military departments.

(b) ELEMENTS OF STUDY.—The study conducted under subsection (a) shall include, for the Department of Defense, each Defense Agency, and each the military departments, each of the following:

(1) An identification and evaluation of—

(A) technology research, development, and acquisition activities related to explosive ordnance disposal, including an identification and evaluation of—

(i) current and future technology and related industrial base gaps; and

(ii) any technical or operational risks associated with such technology or related industrial base gaps;

(B) recruiting, training, education, assignment, promotion, and retention of military and civilian personnel with responsibilities relating to explosive ordnance disposal;

(C) administrative and operational force structure with respect to explosive ordnance disposal, including an identification and assessment of risk associated with force structure capacity or capability gaps, if any; and

(D) the demand for, and activities conducted in support of, domestic and international military explosive ordnance disposal operations, including—

(i) support provided to Department of Defense agencies and other Federal agencies; and

(ii) an identification and assessment of risk associated with the prioritization and availability of explosive ordnance disposal support among supported agencies and operations.

(2) Recommendations, if any, for changes to—

(A) the organization and distribution of responsibilities and authorities relating to explosive ordnance disposal;

(B) the explosive ordnance disposal force structure, management, prioritization, and operating concepts in support of the explosive ordnance disposal requirements of the Armed Forces and other Federal agencies; and

(C) resource investment strategies and technology prioritization for explosive ordnance disposal, including science and technology, prototyping, experimentation, test and evaluation, and related five-year funding profiles.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than August 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the study conducted under subsection (a). Such report shall include the comments on the study, if any, of the Secretary of Defense, the directors of each of the Defense Agencies, and the Secretaries of each of the military departments.

(2) FORM OF REPORT.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1703. REPORT ON THE HUMAN RIGHTS OFFICE AT UNITED STATES SOUTHERN COMMAND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the promotion of human rights and the protection of civilians abroad is an ethical, legal, and strategic interest of the United States;

(2) the Human Rights Office at the United States Southern Command plays an essential role in the promotion of human rights and the professionalization of foreign security forces in the area of responsibility of the United States Southern Command;

(3) the Secretary of Defense should ensure the status of the Human Rights Office at the United States Southern Command and, to the extent possible, ensure the United States Southern Command has the assets necessary to support the activities of the Human Rights Office; and

(4) the Secretary of Defense should ensure the development, at each of the combatant commands, of an office responsible for—

(A) advising the commander of the combatant command on the promotion of human rights and protection of civilians; and

(B) integrating such promotion and protection into command strategy.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the activities of the Human Rights Office at the United States Southern Command to provide and promote—

(A) analysis and policy support to the Commander of the United States Southern Command regarding human rights and the protection of civilians;

(B) education of employees of the Department of Defense regarding human rights and protection of civilians pursuant to the document promulgated by the United States Southern Command on July 1, 1998, titled ''Regulation 1-20'' (relating to policy and procedures for human rights administration);

(C) integration of the promotion of human rights and protection of civilians into the strategy, planning, training, and exercises of the United States Southern Command, including into programs of the armed forces of partner countries through the Human Rights Initiative program of such Command;

(D) promotion of human rights and the protection of civilians through security cooperation activities;

(E) implementation of section 362 of title 10, United States Code; and

(F) countering trafficking in persons; and

(2) the resources necessary over the period of the future years defense plan for fiscal year 2022 under section 221 of title 10, United States Code, for the United States Southern Command to support the activities of the Human Rights Office at such Command.

(c) FORM.—The report under subsection (b) shall be submitted in unclassified form.

SEC. 1704. REPORT ON JOINT TRAINING RANGE EXERCISES FOR THE PACIFIC REGION.

(a) REPORT.—Not later than March 15, 2021, the Chairman of the Joint Chiefs of Staff, in coordination with the Commander of United States Indo-Pacific Command, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, shall submit to the congressional defense committees a report containing a plan to integrate combined, joint, and multi-domain, training and experimentation in the Pacific region, including existing ranges, training areas, and test facilities, to achieve the following objectives:

(1) Support future combined and joint exercises and training to test operational capabilities and weapon systems.

(2) Employ multi-domain training to validate joint operational concepts.

(3) Integrate allied and partner countries into national-level exercises.

(b) MATTERS.—The report under subsection (a) shall address the following:

(1) Integration of cyber, space, and electromagnetic spectrum domains.

(2) Mobile and fixed range instrumentation packages for experimentation and training.

(3) Digital, integrated command and control for air defense systems.

(4) Command, control, communications, computer, and information (C41) systems.

(5) War gaming, modeling, and simulations packages.

(6) Intelligence support systems.

(7) Manpower management, execution, collection, and analysis required for the incorporation of space and cyber activities into the training range exercise plan contained in such report.

(8) Connectivity requirements to support all domain integration and training.

(9) Any training range upgrades or infrastructure improvements necessary to integrate legacy training and exercise facilities into integrated, operational sites.

(10) Exercises led by the United States Indo-Pacific Command, within the area of operations of the Command, that integrate allied and partnered countries and link to the national-level exercises of the United States.

(11) Incorporation of any other functional and geographic combatant commands required to support the United States Indo-Pacific Command.

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

SEC. 1705. STUDY ON CHINESE POLICIES AND INFLUENCE IN THE DEVELOPMENT OF INTERNATIONAL STANDARDS FOR EMERGING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall enter into an agreement with an appropriate non-governmental entity with relevant expertise, as determined by the Director, to conduct a study and make recommendations with respect to the impact of the policies of the People's Republic of China and coordination among industrial entities within the People's Republic of China on international bodies engaged in developing and setting international standards for emerging technologies. The study may include—

(1) an assessment of how the role of the People's Republic of China in international standards setting organizations has grown over the previous 10 years, including in leadership roles in standards-drafting technical committees, and the quality or value of that participation;

(2) an assessment of the impact of the standardization strategy of the People's Republic of China, as identified in the ''Chinese Standard 2035'' on international bodies engaged in developing and setting standards for select emerging technologies, such as advanced communication technologies or cloud computing and cloud services;

(3) an examination of whether international standards for select emerging technologies are being designed to promote interests of the People's Republic of China that are expressed in the ''Made in China 2025'' plan to the exclusion of other participants;

(4) an examination of how the previous practices that the People's Republic of China has utilized while participating in international standards setting organizations may foretell how the People's Republic of China will engage in international standardization activities of critical technologies like artificial intelligence and quantum information science, and what may be the consequences;

(5) recommendations on how the United States can take steps to mitigate influence of the People's Republic of China and bolster United States public and private sector participation in international standards-setting bodies; and

(6) any other areas the Director, in consultation with the entity selected to conduct the study, believes is important to address.

(b) REPORT TO CONGRESS.—The agreement entered into under subsection (a) shall require the entity conducting the study to, not later than two years after the date of the enactment of this Act—

(1) submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings and recommendations of the review conducted under subsection (a); and

(2) make a copy of such report available on a publicly accessible website.

Subtitle B—Electronic Message Preservation

SEC. 1711. SHORT TITLE.

This subtitle may be cited as the ''Electronic Message Preservation Act''.

SEC. 1712. PRESERVATION OF ELECTRONIC MESSAGES AND OTHER RECORDS.

(a) REQUIREMENT FOR PRESERVATION OF ELECTRONIC MESSAGES.—Chapter 29 of title 44, United States Code, is amended by adding at the end the following new section:

''§2912. Preservation of electronic messages and other records

''(a) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations governing Federal agency preservation of electronic messages that are determined to be records. Such regulations shall, at a minimum—

''(1) require the electronic capture, management, and preservation of such electronic records in accordance with the records disposition requirements of chapter 33;

''(2) require that such electronic records are readily accessible for retrieval through electronic searches; and

''(3) include timelines for Federal agency implementation of the regulations that ensure compliance as expeditiously as practicable.

''(b) ENSURING COMPLIANCE.—The Archivist shall promulgate regulations that—

''(1) establish mandatory minimum functional requirements for electronic records management systems to ensure compliance with the requirements in paragraphs (1) and (2) of subsection (a); and

''(2) establish a process to ensure that the electronic records management system of each Federal agency meets the functional requirements established under paragraph (1).

''(c) COVERAGE OF OTHER ELECTRONIC RECORDS.—To the extent practicable, the regulations promulgated under subsections (a) and (b) shall also include requirements for the capture, management, and preservation of other electronic records.

''(d) COMPLIANCE BY FEDERAL AGENCIES.—Each Federal agency shall comply with the regulations promulgated under subsections (a) and (b).

''(e) REVIEW OF REGULATIONS REQUIRED.—The Archivist shall periodically review and, as necessary, amend the regulations promulgated under subsections (a) and (b).''.

(b) DEADLINE FOR REGULATIONS.—

(1) PRESERVATION OF ELECTRONIC MESSAGES.—Not later than 120 days after the date of the enactment of this Act, the Archivist shall promulgate the regulations required under section 2912(a) of title 44, United States Code, as added by subsection (a).

(2) ENSURING COMPLIANCE.—Not later than 2 years after the date of the enactment of this Act, the Archivist shall promulgate the regulations required under section 2912(b) of title 44, United States Code, as added by subsection (a).

(c) REPORTS ON IMPLEMENTATION OF REGULATIONS.—

(1) AGENCY REPORT TO ARCHIVIST.—Not later than 1 year after the date of the enactment of this Act, the head of each Federal agency shall submit to the Archivist a report on the agency's compliance with the regulations promulgated under section 2912 of title 44, United States Code, as added by subsection (a), and shall make the report publicly available on the website of the agency.

(2) ARCHIVIST REPORT TO CONGRESS.—Not later than 90 days after receipt of all reports required by paragraph (1), the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on Federal agency compliance with the regulations promulgated under section 2912(a) of title 44, United States Code, as added by subsection (a), and shall make the report publicly available on the website of the agency.

(3) FEDERAL AGENCY DEFINED.—In this subsection, the term ''Federal agency'' has the meaning given that term in section 2901 of title 44, United States Code.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding after the item relating to section 2911 the following new item:

''2912. Preservation of electronic messages and other records.''.

(e) DEFINITIONS.—Section 2901 of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (14); and

(2) by striking paragraph (15) and inserting the following new paragraphs:

''(15) the term 'electronic messages' means electronic mail and other electronic messaging

systems that are used for purposes of communicating between individuals; and

''(16) the term 'electronic records management system' means software designed to manage electronic records, including by—

''(A) categorizing and locating records;

''(B) ensuring that records are retained as long as necessary;

''(C) identifying records that are due for disposition; and

''(D) ensuring the storage, retrieval, and disposition of records.''.

SEC. 1713. PRESIDENTIAL RECORDS.

(a) ADDITIONAL REGULATIONS RELATING TO PRESIDENTIAL RECORDS.—

(1) IN GENERAL.—Section 2206 of title 44, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provisions for establishing standards necessary for the economical and efficient management of electronic Presidential records during the President's term of office, including—

''(A) records management controls necessary for the capture, management, and preservation of electronic messages;

''(B) records management controls necessary to ensure that electronic messages are readily accessible for retrieval through electronic searches; and

''(C) a process to ensure the electronic records management system to be used by the President for the purposes of complying with the requirements in subparagraphs (A) and (B).''.

(2) DEFINITIONS.—Section 2201 of title 44, United States Code, is amended by adding at the end the following new paragraphs:

''(6) The term 'electronic messages' has the meaning given that term under section 2901(15).

''(7) The term 'electronic records management system' has the meaning given that term under section 2901(16).''.

(b) CERTIFICATION OF PRESIDENT'S MANAGEMENT OF PRESIDENTIAL RECORDS.—

(1) CERTIFICATION REQUIRED.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 2210. Certification of the President's management of Presidential records

''(a) ANNUAL CERTIFICATION.—The Archivist shall annually certify whether the electronic records management controls established by the President meet requirements under sections 2203(a) and 2206(5).

''(b) REPORT TO CONGRESS.—The Archivist shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives on the status of the certification.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following new item:

''2210. Certification of the President's management of Presidential records.''.

(c) REPORT TO CONGRESS.—Section 2203(g) of title 44, United States Code, is amended by adding at the end the following new paragraph:

''(5) One year following the conclusion of a President's term of office, or if a President serves consecutive terms 1 year following the conclusion of the last term, the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on—

''(A) the volume and format of electronic Presidential records deposited into that President's Presidential archival depository; and

''(B) whether the electronic records management controls of that President met the requirements under sections 2203(a) and 2206(5).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

Subtitle C—Space Technology Advancement Report (STAR) Act of 2020

SEC. 1721. SHORT TITLE.

This subtitle may be cited as the ''Space Technology Advancement Report (STAR) Act of 2020''.

SEC. 1722. FINDINGS.

Congress finds the following:

(1) As stated in the United States-China Economic and Security Commission's 2019 Report to Congress, the United States retains many advantages over the People's Republic of China (PRC) in space, including—

(A) the organization and technical expertise of its space program;

(B) the capabilities of the National Aeronautics and Space Administration for human spaceflight and exploration;

(C) its vibrant commercial space sector;

(D) its long history of space leadership; and

(E) many international partnerships.

(2) The PRC seeks to establish a leading position in the economic and military use of outer space and views space as critical to its future security and economic interests.

(3) The PRC's national-level commitment to establishing itself as a global space leader harms United States interests and threatens to undermine many of the advantages the United States has worked so long to establish.

(4) For over 60 years, the United States has led the world in space exploration and human space flight through a robust national program that ensures NASA develops and maintains critical spaceflight systems to enable this leadership, including the Apollo program's Saturn V rocket, the Space Shuttle, the International Space Station and the Space Launch System and Orion today.

(5) The Defense Intelligence Agency noted in its 2019 ''Challenges to U.S. Security in Space'' report that the PRC was developing a national super-heavy lift rocket comparable to NASA's Space Launch System.

(6) The United States space program and commercial space sector risks being hollowed out by the PRC's plans to attain leadership in key technologies.

(7) It is in the economic and security interest of the United States to remain the global leader in space power.

(8) A recent report by the Air Force Research Laboratory and the Defense Innovation Unit found that China's strategy to bolster its domestic space industry includes a global program of theft and other misappropriation of intellectual property, direct integration of state-owned entities and their technology with commercial startups, the use of front companies to invest in United States space companies, vertical control of supply chains, and predatory pricing.

(9) The United States Congress passed the Wolf Amendment as part of the Fiscal Year 2012 Consolidated and Further Continuing Appropriations Act (Public Law 112–55) and every year thereafter in response to the nefarious and offensive nature of Chinese activities in the space industry.

SEC. 1723. REPORT; STRATEGY.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter in fiscal years 2022 and 2023, the National Space Council shall submit to the appropriate congressional committees an interagency assessment of the ability of the United States to compete with foreign space programs and in the emerging commercial space economy.

(2) CONTENT OF REPORT.—The report shall include information on the following:

(A) An assessment of the human exploration and spaceflight capabilities of the national space program of the United States relative to national programs of the PRC.

(B) An assessment of—

(i) the viability of extraction of space-based precious minerals, onsite exploitation of space-based natural resources, and utilization of space-based solar power;

(ii) the programs of the United States and the PRC that are related to the issues described in clause (i); and

(iii) any potential terrestrial or space environmental impacts of space-based solar power.

(C) An assessment of United States strategic interests in or related to cislunar space.

(D) A comparative assessment of future United States space launch capabilities and those of the PRC.

(E) The extent of foreign investment in the commercial space sector of the United States, especially in venture capital and other private equity investments that seek to work with the Federal government.

(F) The steps by which the National Aeronautics and Space Administration, the Department of Defense, and other United States Federal agencies conduct the necessary due diligence and security reviews prior to investing in private space entities that may have received funding from foreign investment.

(G) Current steps that the United States is taking to identify and help mitigate threats to domestic space industry from influence of the PRC.

(H) An assessment of the current ability, role, costs, and authorities of the Department of Defense to mitigate the threats of commercial communications and navigation in space from the PRC's growing counterspace capabilities, and any actions required to improve this capability.

(I) An assessment of how the PRC's activities are impacting United States national security, including—

(i) theft by the PRC of United States intellectual property through technology transfer requirements or otherwise; and

(ii) efforts of the PRC to seize control of critical elements of the United States space industry supply chain and United States space industry companies or sister companies with shared leadership; and government cybersecurity capabilities.

(J) An assessment of efforts of the PRC to pursue cooperative agreements with other nations to advance space development.

(K) Recommendations to Congress, including recommendations with respect to—

(i) any legislative proposals to address threats by the PRC to the United States national space programs as well as domestic commercial launch and satellite industries;

(ii) how the United States Government can best utilize existing Federal entities to investigate and prevent potentially harmful investment by the PRC in the United States commercial space industry;

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

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the submission of the report required in subsection (a), the President, in consultation with the National Space Council, shall develop and submit to the appropriate congressional committees a strategy to ensure the United States can—

(A) compete with other national space programs;

(B) maintain leadership in the emerging commercial space economy;

(C) identify market, regulatory, and other means to address unfair competition from the PRC based on the findings of in the report required in subsection (a);

(D) leverage commercial space capabilities to ensure United States national security and the security of United States interests in space;

(E) protect United States supply chains and manufacturing critical to competitiveness in space; and

(F) coordinate with international allies and partners in space.

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

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES OF CONGRESS.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed services, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Science, Space, and Technology of the House of Representatives.

(2) PRC.—The term ''PRC'' means the ''People's Republic of China''.

Subtitle D—AMBER Alert Nationwide

SEC. 1731. COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.

Subtitle A of title III of the PROTECT Act (34 U.S.C. 20501 et seq.) is amended—

(1) in section 301—

(A) in subsection (b)—

(i) in paragraph (1), by inserting ''(including airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States)'' after ''gaps in areas of interstate travel''; and

(ii) in paragraphs (2) and (3), by inserting '', territories of the United States, and tribal governments'' after ''States''; and

(B) in subsection (d), by inserting '', the Secretary of Homeland Security,'' after ''Secretary of Transportation''; and

(2) in section 302—

(A) in subsection (b), in paragraphs (2), (3), and (4) by inserting '', territorial, tribal,'' after ''State''; and

(B) in subsection (c)—

(i) in paragraph (1), by inserting '', the Secretary of Homeland Security,'' after ''Secretary of Transportation''; and

(ii) in paragraph (2), by inserting '', territorial, tribal,'' after ''State''.

SEC. 1732. AMBER ALERTS ALONG MAJOR TRANSPORTATION ROUTES.

(a) IN GENERAL.—Section 303 of the PROTECT Act (34 U.S.C. 20503) is amended—

(1) in the section heading, by inserting **''AND MAJOR TRANSPORTATION ROUTES''** *after* **''ALONG HIGHWAYS''***;*

(2) in subsection (a)—

(A) by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation''; and

(B) by inserting ''and at airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States'' after ''along highways'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''other motorist information systems to notify motorists'' and inserting ''other information systems to notify motorists, aircraft passengers, ship passengers, and travelers''; and

(ii) by inserting '', aircraft passengers, ship passengers, and travelers'' after ''necessary to notify motorists''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''other motorist information systems to notify motorists'' and inserting ''other information systems to notify motorists, aircraft passengers, ship passengers, and travelers'';

(ii) in subparagraph (D), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''support the notification of motorists'';

(iii) in subparagraph (E), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists'', each place it appears;

(iv) in subparagraph (F), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists''; and

(v) in subparagraph (G), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists'';

(4) in subsection (c), by striking ''other motorist information systems to notify motorists'', each place it appears, and inserting ''other information systems to notify motorists, aircraft passengers, ship passengers, and travelers'';

(5) by amending subsection (d) to read as follows:

''(d) FEDERAL SHARE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activities funded by a grant under this section may not exceed 80 percent.

''(2) WAIVER.—If the Secretary determines that American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, or the Virgin Islands of the United States is unable to comply with the requirement under paragraph (1), the Secretary shall waive such requirement.'';

(6) in subsection (g)—

(A) by striking ''In this section'' and inserting ''In this subtitle''; and

(B) by striking ''or Puerto Rico'' and inserting ''American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory of the United States''; and

(7) in subsection (h), by striking ''fiscal year 2004'' and inserting ''each of fiscal years 2019 through 2023''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the PROTECT Act (Public Law 108–21) is amended by striking the item relating to section 303 and inserting the following:

''Sec. 303. Grant program for notification and communications systems along highways and major transportation routes for recovery of abducted children.''.

SEC. 1733. AMBER ALERT COMMUNICATION PLANS IN THE TERRITORIES.

Section 304 of the PROTECT Act (34 U.S.C. 20504) is amended—

(1) in subsection (b)(4), by inserting ''a territorial government or'' after ''with'';

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

''(c) FEDERAL SHARE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activities funded by a grant under this section may not exceed 50 percent.

''(2) WAIVER.—If the Attorney General determines that American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, or an Indian tribe is unable to comply with the requirement under paragraph (1), the Attorney General shall waive such requirement.''; and

(3) in subsection (d), by inserting '', including territories of the United States'' before the period at the end.

SEC. 1734. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.

(a) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General shall conduct a study assessing—

(1) the implementation of the amendments made by this Act;

(2) any challenges related to integrating the territories of the United States into the AMBER Alert system;

(3) the readiness, educational, technological, and training needs of territorial law enforcement agencies in responding to cases involving missing, abducted, or exploited children; and

(4) any other related matters the Attorney General or the Secretary of Transportation determines appropriate.

(b) REPORT REQUIRED.—The Comptroller General shall submit a report on the findings of the study required under subsection (a) to—

(1) the Committee on the Judiciary and the Committee on Environment and Public Works of the Senate;

(2) the Committee on the Judiciary and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) each of the delegates or resident commissioner to the House of Representatives from American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

(c) PUBLIC AVAILABILITY.—The Comptroller General shall make the report required under subsection (b) available on a public Government website.

(d) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Comptroller General may secure information necessary to conduct the study under subsection (a) directly from any Federal agency and from any territorial government receiving grant funding under the PROTECT Act. Upon request of the Comptroller General, the head of a Federal agency or territorial government shall furnish the requested information to the Comptroller General.

(2) AGENCY RECORDS.—Notwithstanding paragraph (1), nothing in this subsection shall require a Federal agency or any territorial government to produce records subject to a common law evidentiary privilege. Records and information shared with the Comptroller General shall continue to be subject to withholding under sections 552 and 552a of title 5, United States Code. The Comptroller General is obligated to give the information the same level of confidentiality and protection required of the Federal agency or territorial government. The Comptroller General may be requested to sign a nondisclosure or other agreement as a condition of gaining access to sensitive or proprietary data to which the Comptroller General is entitled.

(3) PRIVACY OF PERSONAL INFORMATION.—The Comptroller General, and any Federal agency and any territorial government that provides information to the Comptroller General, shall take such actions as are necessary to ensure the protection of the personal information of a minor.

Subtitle E—Other Matters

SEC. 1741. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 127e(g) is amended by striking ''Low-Intensity'' and inserting ''Low Intensity''.

(2) Section 142 is amended—

(A) by striking subsection (d); and

(B) by redesignating the second subsection (c) as subsection (d).

(3) Section 192(c) is amended by striking the first paragraph (1).

(4) Section 231 is amended—

(A) in subsection (a)(1), by striking ''and'' after the colon;

(B) by striking ''quadrennial defense review'' each place it appears and inserting ''national defense strategy''; and

(C) in subsection (f)(3), by striking ''section 118'' and inserting ''section 113(g)''.

(5) Section 1073c(a) is amended by redesignating the second paragraph (6) as paragraph (7).

(6) Section 1044e is amended by striking ''subsection (h)'' each place it appears and inserting ''subsection (i)''.

(7) The table of sections at the beginning of chapter 58 is amended by striking the item relating to section 1142 and inserting the following:

''1142. Preseparation counseling; transmittal of certain records to Department of Veterans Affairs.''.

(8) Section 1564(c)(2) is amended in the matter preceding subparagraph (A) by striking ''in'' and inserting ''is''.

(9) The table of sections at the beginning of chapter 113 is amended by striking ''Sec.'' each place it appears, except for the first ''Sec.'' preceding the item relating to section 2200g.

(10) The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2279c.

(11) The table of sections at the beginning of chapter 142 is amended by striking the item relating to section 2417 and inserting the following:

''2417. Administrative and other costs.''.

(12) The table of sections at the beginning of chapter 152 is amended by striking the item relating to section 2568a and inserting the following:

''2568a. Damaged personal protective equipment: award to members separating from the Armed Forces and veterans.''.

(13) Section 2417(2) is amended by striking ''entities -'' and inserting ''entities—''.

(14) Section 2641b(a)(3)(B) is amended by striking ''subsection (c)(5)'' and inserting ''subsection (c)(6)''.

(15) Section 2804(b) is amended in the third sentence by striking ''; and''.

(16) Section 2890(e)(2) is amended by inserting ''a'' before ''landlord'' in the matter preceding subparagraph (A).

(17) Section 2891(e)(1) is amended—

(A) by inserting ''unit'' after ''housing'' the third place it appears; and

(B) in subparagraph (B), by inserting ''the'' before ''tenant''.

(18) Section 2891a is amended—

(A) in subsection (b), by adding a period at the end of paragraph (2); and

(B) in subsection (e)(2)(B), by striking ''the'' before ''any basic''.

(19) Section 2894(c)(3) is amended by inserting '', the office'' after ''installation housing management office''.

(b) TITLE 38, UNITED STATES CODE.—Section 1967(a)(3)(D) of title 38, United States Code, is amended in the matter preceding clause (i) by inserting a comma after ''theater of operations''.

(c) NDAA FOR FISCAL YEAR 2019.—Effective as of August 13, 2018, and as if included therein as enacted, the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended as follows:

(1) Section 226(b)(3)(C) (132 Stat. 1686) is amended by striking ''commercial-off the-shelf'' and inserting ''commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) that may serve as''.

(2) Section 809(b)(3) (132 Stat. 1840) is amended by striking ''Section 598(d)(4) of the National Defense Authorization Act of for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 1561 note)'' and inserting ''Section 563(d)(4) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 1561 note)''.

(3) Section 836(a)(2)(B) (132 Stat. 1860) is amended by inserting ''of such title'' after ''Section 104(1)(A)''.

(4) Section 836(c)(8) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) by striking 'commercial items' and inserting 'commercial products'; and

''(B) by striking 'the item' both places it appears and inserting 'commercial product'.''.

(5) Section 889(f) (132 Stat. 1918) is amended by striking ''appropriate congressional committees'' and inserting ''appropriate congressional committees''.

(6) Section 1286(e)(2)(D) (10 U.S.C. 2358 note; 132 Stat. 2080) is amended by striking ''improve'' and inserting ''improved''.

(7) Section 1757(a) (50 U.S.C. 4816; 132 Stat. 2218) is amended by inserting ''to persons'' before ''who are potential''.

(8) Section 1759(a)(2) (50 U.S.C. 4818; 132 Stat. 2223) is amended by striking the semicolon at the end and inserting a period.

(9) Section 1763(c) (50 U.S.C. 4822; 132 Stat. 2231) is amended by striking ''December 5, 1991'' and inserting ''December 5, 1995''.

(10) Section 1773(b)(1) (50 U.S.C. 4842; 132 Stat. 2235) is amended by striking ''section 1752(1)(D)'' and inserting ''section 1752(2)(D)''.

(11) Section 1774(a) (50 U.S.C. 4843; 132 Stat. 2237) is amended in the matter preceding paragraph (1) by inserting ''under'' before ''section 1773''.

(12) Section 2827(b)(1) (132 Stat. 2270) is amended by inserting ''in the matter preceding the paragraphs'' after ''amended''.

(d) NDAA FOR FISCAL YEAR 2016.—Effective as of December 23, 2016, and as if included therein as enacted, section 856(a)(1) the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2377 note) is amended by inserting ''United States Code,'' after ''title 41,''.

(e) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1742. ADDITION OF CHIEF OF THE NATIONAL GUARD BUREAU TO THE LIST OF OFFICERS PROVIDING REPORTS OF UNFUNDED PRIORITIES.

Section 222a(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) The Chief of the National Guard Bureau.''.

SEC. 1743. ACCEPTANCE OF PROPERTY BY MILITARY ACADEMIES AND MUSEUMS.

(a) ACCEPTANCE OF PROPERTY.—Section 2601 of title 10, United States Code, is amended—

(1) in subsection (a)(2), by inserting after subparagraph (B) the following new subparagraph:

''(C) The Secretary concerned may display, at a military museum, recognition for an individual or organization that contributes money to a nonprofit entity described in subparagraph (A), or an individual or organization that contributes a gift directly to the armed force concerned for the benefit of a military museum, whether or not the contribution is subject to the condition that recognition be provided. The Secretary of Defense shall prescribe uniform regulations governing the circumstances under which contributor recognition may be provided, appropriate forms of recognition, and suitable display standards.''; and

(2) in subsection (e)(1)—

(A) by inserting ''or personal'' after ''real'' both places it appears; and

(B) by striking ''or the Coast Guard Academy'' and inserting ''the Coast Guard Academy, the National Defense University, the Defense Acquisition University, the Air University, the Army War College, the Army Command and General Staff College, the Naval War College, the Naval Postgraduate School, or the Marine Corps University''.

(b) LEASE OF NON-EXCESS PROPERTY TO MILITARY MUSEUMS.—

(1) IN GENERAL.—Section 2667 of title 10, United States Code, is amended—

(A) in subsection (b)—

(i) in paragraph (7), by striking ''and'' at the end;

(ii) in paragraph (8), by striking the period at the end and inserting ''; and''; and

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

''(9) in the case of a lease of a museum facility to a museum foundation, may provide for use in generating revenue for activities of the museum facility and for such administrative purposes as may be necessary to support the facility.'';

(B) in subsection (i), by adding at the end the following new paragraph:

''(6) The term 'museum foundation' means any entity—

''(A) qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

''(B) incorporated for the primary purpose of supporting a Department of Defense museum.''; and

(C) in subsection (k)—

(i) in the subsection heading, by inserting ''AND MUSEUMS'' after ''LEASES FOR EDUCATION''; and

(ii) by inserting ''or to a museum foundation'' before the period at the end.

(2) REPEALS.—

(A) LEASE OR LICENSE OF UNITED STATES NAVY MUSEUM FACILITIES AT WASHINGTON NAVY YARD, DISTRICT OF COLUMBIA.—The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking section 2852.

(B) LEASE OF FACILITY TO MARINE CORPS HERITAGE FOUNDATION.—Section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A-440) is amended by striking subsection (e).

SEC. 1744. REAUTHORIZATION OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.—Section 8931 of title 10, United States Code, is amended to read as follows:

''SEC. 8931. NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

''(a) ESTABLISHMENT.—The Secretary of the Navy shall establish a program to be known as the 'National Oceanographic Partnership Program'.

''(b) PURPOSES.—The purposes of the program are as follows:

''(1) To promote the national goals of assuring national security, advancing economic development, protecting quality of life, ensuring environmental stewardship, and strengthening science education and communication through improved knowledge of the ocean.

''(2) To coordinate and strengthen oceanographic efforts in support of those goals by—

''(A) creating and carrying out partnerships among Federal agencies, academia, industry, and other members of the oceanographic community in the areas of science, data, resources, education, and communication; and

''(B) accepting, planning, and executing oceanographic research projects funded by grants, contracts, cooperative agreements, or other vehicles as appropriate, that contribute to assuring national security, advancing economic development, protecting quality of life, ensuring environmental stewardship, and strengthening science education and communication through improved knowledge of the ocean.''.

(b) OCEAN POLICY COMMITTEE.—

(1) IN GENERAL.—Section 8932 of such title is amended to read as follows:

''§ 8932. Ocean Policy Committee

''(a) COMMITTEE.—There is established an Ocean Policy Committee (hereinafter referred to as the 'Committee'). The Committee shall retain the membership, co-chairs, and subcommittees outlined in Executive Order 13840.

''(b) RESPONSIBILITIES.—The Committee shall continue the activities of that Committee as it was in existence on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021. In discharging its responsibilities and to assist in the execution of the activities delineated in this subsection, the Committee may delegate to a subcommittee, as appropriate. The Committee shall—

''(1) prescribe policies and procedures to implement the National Oceanographic Partnership Program;

''(2) engage and collaborate, pursuant to existing laws and regulations, with stakeholders, including regional ocean partnerships, to address ocean-related matters that may require interagency or intergovernmental solutions;

''(3) facilitate coordination and integration of Federal activities in ocean and coastal waters to inform ocean policy and identify priority ocean research, technology, and data needs; and

''(4) review, select, and identify partnership projects for implementation under the program, based on—

''(A) whether the project addresses important research objectives or operational goals;

''(B) whether the project has, or is designed to have, appropriate participation within the oceanographic community of public, academic, commercial, private participation or support;

''(C) whether the partners have a long-term commitment to the objectives of the project;

''(D) whether the resources supporting the project are shared among the partners; and

''(E) whether the project has been subjected to adequate review according to each of the supporting agencies.

''(c) ANNUAL REPORT AND BRIEFING.—(1) Not later than March 1 of each year, the Committee shall post a report on the National Oceanographic Partnership Program on a publicly available website and brief—

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

''(B) the Committee on Armed Services of the Senate;

''(C) the Committee on Natural Resources of the House of Representatives;

''(D) the Committee on Science, Space, and Technology of the House of Representatives; and

''(E) the Committee on Armed Services of the House of Representatives.

''(2) The report and all briefing materials shall be posted to a publicly available website not later than 30 days after the briefing.

''(3) The report and briefing shall include the following:

''(A) A description of activities of the program carried out during the prior fiscal year.

''(B) A general outline of the activities planned for the program during the current fiscal year.

''(C) A summary of projects, partnerships, and collaborations, including the Federal and non-Federal sources of funding, continued from the prior fiscal year and projects expected to begin during the current and subsequent fiscal years, as required in the program office report outlined in section 8932(f)(2)(C) of this title.

''(D) The amounts requested in the budget submitted to Congress pursuant to section 1105(a) of title 31 for the subsequent fiscal year, for the programs, projects, activities and the estimated expenditures under such programs, projects, and activities, to execute the National Oceanographic Partnership Program.

''(E) A summary of national ocean research priorities informed by the Ocean Research Advisory Panel required in section 8933(b)(4) of this title.

''(F) A list of the members of the Ocean Research Advisory Panel described in section 8933(a) of this title and any working groups described in section 8932(f)(2)(A) of this title in existence during the fiscal years covered.

''(d) NATIONAL OCEANOGRAPHIC PARTNERSHIP FUND.—(1) There is established in the Treasury a separate account to be known as the National Oceanographic Partnership Program Fund to be jointly managed by the Secretary of the Navy, the Administrator of the National Oceanic and Atmospheric Administration, and any other Federal agency that contributes amounts to the Fund.

''(2) Amounts in the Fund shall be available to the National Oceanic Partnership Program without further appropriation to remain available for up to 5 years from the date contributed or until expended for the purpose of carrying out this section.

''(3) There is authorized to be credited to the Fund the following:

''(A) Such amounts as determined appropriate to be transferred to the Fund by the head of a Federal agency or entity participating in the National Oceanographic Partnership Program.

''(B) Funds provided by a State, local government, tribal government, territory, or possession, or any subdivisions thereof.

''(C) Funds contributed by—

''(i) a non-profit organization, individual, or Congressionally-established foundation; and

''(ii) by private grants, contracts, and donations.

''(4) For the purpose of carrying out this section, as directed by the Committee, departments or agencies represented on the Committee may enter into contracts, make grants, including transactions authorized by paragraph (5), and may transfer funds available to the National Oceanographic Partnership Program under paragraph (3) to participating departments and agencies for such purposes.

''(5) The Committee or any participating Federal agency or entity may enter into an agreement to use, with or without reimbursement, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, District of Columbia, or possession, or of any political subdivision thereof, or of any foreign government or international organization or individual, for the purpose of carrying out this section.

''(e) ESTABLISHMENT AND FORMS OF PARTNERSHIP PROJECTS.—A partnership project under the National Oceanographic Partnership Program—

''(1) may be established by any instrument that the Committee considers appropriate; and

''(2) may include demonstration projects.

''(f) PARTNERSHIP PROGRAM OFFICE.—(1) The Secretary of the Navy and Administrator of the National Oceanic and Atmospheric Administration shall jointly establish a partnership program office for the National Oceanographic Partnership Program. Competitive procedures will be used to select an external operator for the partnership program office.

''(2) The Committee will monitor the performance of the duties of the partnership program office, which shall consist of the following:

''(A) To support working groups established by the Committee or subcommittee and report working group activities to the Committee, including working group proposals for partnership projects.

''(B) To support the process for proposing partnership projects to the Committee, including, where appropriate, managing review of such projects.

''(C) To submit to the Committee and make publicly available an annual report on the status of all partnership projects, including the Federal and non-Federal sources of funding for each project, and activities of the office.

''(D) To perform any additional duties for the administration of the National Oceanographic Partnership Program that the Committee considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 893 of title 10, United States Code, is amended by striking the item relating to section 8932 and inserting the following new item:

''8932. Ocean Policy Committee.''.

(c) OCEAN RESEARCH ADVISORY PANEL.—Section 8933 of such title is amended to read as follows:

''§ 8933. Ocean Research Advisory Panel

''(a) ESTABLISHMENT.—(1) The Committee shall establish an Ocean Research Advisory Panel consisting of not less than 10 and not more than 18 members appointed by the Co-chairs, including the following:

''(A) Three members who will represent the National Academies of Sciences, Engineering, and Medicine.

''(B) Members selected from among individuals who will represent the views of ocean industries, State, tribal, territorial or local governments, academia, and such other views as the Co-chairs consider appropriate.

''(C) Members selected from among individuals eminent in the fields of marine science, marine technology, and marine policy, or related fields.

''(2) The Committee shall ensure that an appropriate balance of academic, scientific, industry, and geographical interests and gender and racial diversity are represented by the members of the Advisory Panel.

''(b) RESPONSIBILITIES.—The Committee shall assign the following responsibilities to the Advisory Panel:

''(1) To advise the Committee on policies and procedures to implement the National Oceanographic Partnership Program.

''(2) To advise the Committee on matters relating to national oceanographic science, engineering, facilities, or resource requirements.

''(3) To advise the Committee on improving diversity, equity, and inclusion in the ocean sciences and related fields.

''(4) To advise the Committee on national ocean research priorities.

''(5) Any additional responsibilities that the Committee considers appropriate.

''(6) To meet no fewer than two times a year.

''(c) ADMINISTRATIVE AND TECHNICAL SUPPORT.—The Administrator of the National Oceanic and Atmospheric Administration shall provide such administrative and technical support as the Ocean Research Advisory Panel may require.

''(d) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Ocean Research Advisory Panel appointed under section 8933.''.

SEC. 1745. REQUIREMENTS RELATING TO PROGRAM AND PROJECT MANAGEMENT.

(a) STANDARDS FOR PROGRAM AND PROJECT MANAGEMENT.—Section 503(c)(1)(D) of title 31, United States Code, is amended by striking ''consistent with widely accepted standards'' and inserting ''in accordance with standards accredited by the American National Standards Institute''.

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—Section 1126 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by inserting after ''senior executive of the agency'' the following: '', who has significant program and project management oversight responsibilities,''; and

(2) in subsection (b)(4) by striking ''twice'' and inserting ''four times''.

SEC. 1746. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN COMMAND AND CONTROL CONCEPT.

(a) IN GENERAL.—During the period beginning on October 1, 2020, and ending on October 1, 2022, the Director of the Joint All Domain Command and Control (in this section referred to as ''JADC2'') Cross Functional Team (in this section referred to as ''CFT''), in consultation with the Vice Chairman of the Joint Chiefs of Staff and Chief Information Officer of the Department of Defense, shall provide to the Committee on Armed Services of the House of Representatives quarterly briefings on the progress of the Department's Joint All Domain Command and Control concept.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the JADC2 concept, the following elements:

(1) The status of the joint concept of command and control.

(2) How the JADC2 CFT is identifying gaps and addressing validated requirements based on the joint concept of command and control.

(3) Progress in developing specific plans to evaluate and implement materiel and non-materiel improvements to command and control capabilities.

(4) Clarification on distribution of responsibilities and authorities within the CFT and the Office of the Secretary of Defense with respect to JADC2, and how the CFT and the Office of the Secretary of Defense are synchronizing and aligning with joint and military concepts, solutions, experimentation, and exercises.

(5) The status of and review of any recommendations for resource allocation necessary to achieve operational JADC2.

(6) A sufficiency assessment of planned funding across the future years defense program for the development of JADC2 capabilities.

SEC. 1747. RESOURCES TO IMPLEMENT A DEPARTMENT OF DEFENSE POLICY ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) RESOURCES TO IMPLEMENT DEPARTMENT OF DEFENSE POLICY ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.—

(1) PURPOSE.—The purpose of this section is to facilitate fulfillment of the requirements in section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note).

(2) PERSONNEL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall do the following:

(A) Add to, and assign within, each of the United States Central Command, the United States Africa Command, the United States Special Operations Command, the United States European Command, the United States Southern Command, the United States Indo-Pacific Command, and the United States Northern Command not fewer than two personnel who shall have primary responsibility for the following in connection with military operations undertaken by such command:

(i) Providing guidance and oversight relating to prevention of and response to civilian casualties, promotion of observance of human rights, and the protection of civilians and civilian infrastructure.

(ii) Overseeing civilian casualty response functions on behalf of the commander of such command.

(iii) Receiving reports of civilian casualties and conduct of civilian casualty assessments.

(iv) Analyzing civilian casualty incidents and trends.

(v) Offering condolences for casualties, including ex gratia payments.

(vi) Ensuring the integration of activities relating to civilian casualty mitigation, protection of civilians, and promotion of observance of human rights in security cooperation activities.

(vii) Consulting with non-governmental organizations on civilian casualty and human rights matters.

(B) Add to, and assign within, the Office of the Under Secretary for Policy not fewer than two personnel who shall have primary responsibility for implementing and overseeing implementation by the components of the Department of Defense of Department policy on civilian casualties resulting from United States military operations.

(C) Add to, and assign within, the Joint Staff not fewer than two personnel who shall have primary responsibility for the following:

(i) Overseeing implementation by the components of the Department of Defense of Department policy on civilian casualties resulting from United States military operations.

(ii) Developing and sharing in the implementation of such policy.

(iii) Communicating operational guidance on such policy.

(3) TRAINING, SOFTWARE, AND OTHER REQUIREMENTS.—

(A) IN GENERAL.—In each of fiscal years 2021 through 2023, the Secretary of Defense and each Secretary of a military department may obligate and expend, from amounts specified in subparagraph (B), not more than $5,000,000 for the following:

(i) Training related to civilian casualty mitigation and response.

(ii) Information technology equipment, support and maintenance, and data storage, in order to implement the policy of the Department related relating to civilian casualties resulting from United States military operations as required by section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

(B) FUNDS.—The funds for a fiscal year specified in this subparagraph are funds as follows:

(i) In the case of the Secretary of Defense, amounts authorized to be appropriated for such fiscal year for operation and maintenance, Defense-wide.

(ii) In the case of a Secretary of a military department, amounts authorized to be appropriated for such fiscal year for operation and maintenance for the components of the Armed Forces under the jurisdiction of such Secretary.

(b) UNITED STATES MILITARY OPERATIONS DEFINED.—In this section, the term ''United States military operations'' includes any mission, strike, engagement, raid, or incident involving United States Armed Forces.

SEC. 1748. SENSE OF CONGRESS REGARDING REPORTING OF CIVILIAN CASUALTIES RESULTING FROM UNITED STATES MILITARY OPERATIONS.

It is the sense of Congress—

(1) to commend the Department of Defense for the measures it has implemented and is currently implementing to prevent, mitigate, track, investigate, learn from, respond to, and report civilian casualties resulting from United States military operations; and

(2) to agree with the Department that civilian casualties are a tragic and unavoidable part of war, and to recognize that the Department endeavors to conduct all military operations in compliance with the international law of armed conflict and the laws of the United States, including distinction, proportionality, and the requirement to take feasible precautions in planning and conducting operations to reduce the risk of harm to civilians and other protected persons and objects; and the protection of civilians and other protected persons and objects, in addition to a legal obligation and a strategic interest, is a moral and ethical imperative; that the Department has submitted to Congress three successive annual reports on civilian casualties resulting from United States military operations for calendar years 2017, 2018, and 2019, and has updated reports as appropriate; and to recognize the efforts of the Department, both in policy and in practice, to reduce the harm to civilians and other protected persons and objects resulting from United States military operations, and to encourage the Department to make additional progress in—

(A) developing at all combatant commands personnel and offices responsible for advising the commanders of such commands, and integrating into command strategy, the promotion of observance of human rights and the protection of civilians and other protected persons and objects;

(B) finalizing and implementing the policy of the Department relating to civilian casualties resulting from United States military operations, as required by section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note);

(C) finalizing Department-wide regulations to implement section 1213 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92) for ex gratia payments for damage, personal injury, or death that is incident to the use of force by the United States Armed Forces, a coalition that includes the United States, a military organization supporting the United States, or a military organization supporting the United States or such coalition; and

(D) professionalizing foreign partner forces to reduce civilian casualties, including in connection with train and equip programs, advise, assist, accompany, and enable missions, and fully combined and coalition operations.

SEC. 1749. PROHIBITION OF PUBLIC DISPLAY OF CONFEDERATE BATTLE FLAG ON DEPARTMENT OF DEFENSE PROPERTY.

(a) PROHIBITION.—Except as provided in subsection (b) the Secretary of Defense shall prohibit the public display of the Confederate battle flag at all Department of Defense property.

(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply to—

(1) a museum located on a Department of Defense installation that addresses the Civil War from a historical or educational perspective;

(2) an educational or historical display depicting a Civil War battle in which the Confederate battle flag is present, but not the main focus of the display;

(3) a State flag that incorporates the Confederate battle flag;

(4) a State-issued license plate with a depiction of the Confederate battle flag; or

(5) a grave site of a Confederate soldier.

(c) DEFINITIONS.—In this section:

(1) The term ''Confederate battle flag'' means the battle flag carried by Confederate armies during the Civil War.

(2) The term ''Department of Defense property'' means all installations, workplaces, common-access areas, and public areas of the Department of Defense, including—

(A) office buildings, facilities, naval vessels, aircraft, Government vehicles, hangars, ready rooms, conference rooms, individual offices, cubicles, storage rooms, tool and equipment rooms, workshops, break rooms, galleys, recreational areas, commissaries, Navy and Marine Corps exchanges, and heads;

(B) sensitive compartmented information facilities and other secure facilities;

(C) open-bay barracks and common areas of barracks and living quarters;

(D) all Department of Defense school houses and training facilities including, officer candidate school, the basic school, recruit training command, and recruiting offices;

(E) all areas of the Department of Defense in public or plain view, including outside areas, work office buildings, stores, or barracks, including parking lots;

(F) the front yard or external porch of Government-owned and Government-operated housing and public-private venture housing; and

(G) automobile bumper stickers, clothing, and other apparel that is located on or in any installation, workplace, common-access area, or public area of the Department of Defense.

SEC. 1750. DEPLOYMENT OF REAL-TIME STATUS OF SPECIAL USE AIRSPACE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, in consultation, as appropriate, with the Secretary of Defense and the heads of the military services, including the National Guard and Air National Guard, and other appropriate Federal agencies, shall initiate, not later than 180 days after the date of enactment of this Act, a program to enable public dissemination of information on—

(1) the real-time status of the activation or deactivation of military operations areas and restricted areas; and

(2) the reports submitted to the Administrator pursuant to section 73.19 of title 14, Code of Federal Regulations.

(b) STATUS REPORT.—

(1) IN GENERAL.—Not later than one year after the Administrator initiates the program required under subsection (a), and every year thereafter until such program is complete, the Administrator shall submit a status report to the appropriate committees of Congress on the implementation of such program.

(2) CONTENTS.—The report required under paragraph (1) shall contain, at a minimum—

(A) an update on the progress of the Administrator in modifying policies, systems, or equipment that may be necessary to enable the public dissemination of information on the real-time status of the activation or deactivation of military operations areas and restricted areas;

(B) a description of any challenges to completing the program initiated pursuant to subsection (a), including challenges in—

(i) receiving the timely and complete submissions of data concerning airspace usage;

(ii) modifying policies; and

(iii) acquiring necessary systems or equipment; and

(C) a timeline of the anticipated completion of the program and the modifications described in subparagraph (A).

(c) UTILIZATION REPORTS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit a report to the appropriate committees of Congress—

(1) describing whether the Department of Defense has submitted the utilization reports required under section 73.19 of title 14, Code of Federal Regulations for the prior fiscal year, and, if so, to what extent such reports have been submitted; and

(2) providing, if the Secretary discovers that all such reports have not been submitted in a timely and complete manner—

(A) an explanation for the failure to submit any such reports in the manner prescribed by regulation; and

(B) a plan to ensure the timely and complete submission of all such reports.

(d) POLICIES.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report to the appropriate committees of Congress on special use airspace, including a review of the Federal Aviation Administration's—

(1) policies and processes for establishing, reviewing, and revoking military operations areas and restricted areas; and

(2) administration, including release of, underutilized special use airspace.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(2) The term ''underutilized'', with respect to a military operations area or restricted area, means such an area determined by the Administrator of the Federal Aviation Administrator to have had, during the two most recent consecutive fiscal years prior to the date of enactment of this Act, the number of hours actually utilized be less than 75 percent of the number of hours the area was activated, discounted for weather cancellations and delays, loss of use for reasons beyond the control of the Federal agency using the area, and other factors determined appropriate by the Administrator.

SEC. 1751. DUTIES OF SECRETARY UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.

(a) ENSURING ABILITY OF ABSENT UNIFORMED SERVICES VOTERS SERVING AT DIPLOMATIC AND CONSULAR POSTS TO RECEIVE AND TRANSMIT BALLOTING MATERIALS.—In carrying out the Secretary's duties as the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.), the Secretary shall take such actions as may be necessary to ensure that an absent uniformed services voter under such Act who is absent from the United States by reason of active duty or service at a diplomatic and consular post of the United States is able to receive and transmit balloting materials in the same manner and with the same rights and protections as an absent uniformed services voter under such Act who is absent from the United States by reason of active duty or service at a military installation.

(b) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after the date of the enactment of this Act.

SEC. 1752. PUBLICLY AVAILABLE DATABASE OF CASUALTIES OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall publish on an appropriate publicly available website of the Department of Defense a database of all casualties of members of the Armed Forces of the United States that occur during military operations that take place during 1990 or any subsequent year.

(b) REQUIREMENTS.—The Secretary shall ensure that the database published under subsection (a) has the following capabilities:

(1) The capability of generating a machine readable report, to the extent practicable, through searches based on each, and any combination, of the casualty attributes.

(2) The capability of downloading individual records as the result of a search based on each, and any combination, of the casualty attributes.

(c) NEXT-OF-KIN OPT OUT.—The Secretary shall develop a mechanism under which the next-of-kin (as determined by the Secretary) of any individual whose information would be included in the database required under subsection (a) may elect to have such information excluded from the database.

(d) CASUALTY ATTRIBUTES.—In this section, the term ''casualty attributes'' means each of the following with respect to the casualty of a member of the Armed Forces:

(1) The conflict in which the casualty occurred.

(2) The country where the casualty occurred.

(3) The attributes of the member of the Armed Forces, including—

(A) service;

(B) component;

(C) name;

(D) rank;

(E) date of death; and

(F) any other information as determined by the Secretary.

SEC. 1753. NOTICE AND COMMENT FOR PROPOSED ACTIONS OF THE SECRETARY OF DEFENSE RELATING TO FOOD AND BEVERAGE INGREDIENTS.

(a) NOTICE AND COMMENT.—Before promulgating any service-wide or Department-wide final rule, statement, or determination relating to the limitation or prohibition of an ingredient in a food or beverage item provided to members of the Armed Forces by the Department of Defense (including an item provided through a commissary store, a dining facility on a military installation, or a military medical treatment facility), the Secretary of Defense shall—

(1) publish in the Federal Register a notice of the proposed rule, statement, or determination (in this section referred to as a ''proposed action''); and

(2) provide interested persons an opportunity to submit public comments with respect to the proposed action.

(b) MATTERS TO BE INCLUDED IN NOTICE.—The Secretary shall include in any notice published under subsection (a)(2) the following:

(1) A summary of the notice.

(2) The date of publication of the notice.

(3) The contact information for the office of the Department of Defense responsible for the proposed action.

(4) The deadline for comments to be submitted with respect to the proposed action and a description of the method to submit such comments.

(5) A description of the proposed action.

(6) Findings and a statement of reason supporting the proposed action.

(c) WAIVER AUTHORITY.—The Director of the Defense Logistics Agency may waive subsections (a) and (b) if the Director determines such waiver is necessary for military operations or for the response to a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), a medical emergency, or a pandemic.

(d) REPORTS.—

(1) REPORTS.—On a quarterly basis, the Director of the Defense Logistics Agency shall submit to the congressional defense committees a report containing an identification of any waiver under subsection (c) issued or in effect during the quarter preceding submission of the report.

(2) MATTERS.—A report under paragraph (1) shall include, with respect to each waiver identified, the following:

(A) The date, time, and location of the issuance of such waiver.

(B) A detailed justification for the issuance of such waiver.

(C) An identification of the rule, statement, or determination for which the Director issued such waiver, including the proposed duration of such rule, statement, or determination.

SEC. 1754. SPACE STRATEGIES AND ASSESSMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should support activities in space by—

(1) ensuring robust, innovative, and increasingly capable civil and national security space programs;

(2) supporting effective and stable space partnerships with allies of the United States;

(3) leveraging, to the greatest extent practicable and appropriate, commercial space capabilities; and

(4) ensuring freedom of navigation and providing measures to assure the supply chain related to such space assets and manufacturing processes of such assets.

(b) STRATEGY REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the President, in consultation with the National Space Council, shall develop and maintain a strategy to ensure that the United States, as appropriate, strengthens civil and national security capabilities and operations in space through—

(1) challenging and inspiring civil space goals and programs;

(2) partnerships with allies of the United States;

(3) leveraging of commercial space capabilities;

(4) ensuring supply chain and manufacturing processes for space assets;

(5) sustaining a highly skilled, world-class workforce; and

(6) considering the financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States.

(c) SUBMISSION OF STRATEGY AND PLAN.—Not later than one year after the date of the enactment of this Act, the Chair of the National Space Council, in consultation with relevant departments and agencies of the Federal Government, shall submit to the appropriate congressional committees a report setting forth—

(1) the strategy under subsection (b); and

(2) a plan to implement the strategy, including to—

(A) ensure the freedom of navigation of space assets and protect the supply chain relating to such assets and manufacturing process of such assets from threats from the People's Republic of China and the Russian Federation, which may include protection from intellectual property theft and threats with respect to electronic warfare capabilities;

(B) identify capabilities required to ensure civil and national security space leadership;

(C) provide contingency and resiliency for civil and national security space operations; and

(D) strengthen relations with the allies of the United States with respect to space.

(d) ASSESSMENT AND REPORT.—

(1) ASSESSMENT AND REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall submit to the appropriate congressional committees a report that includes—

(A) an assessment of the capabilities and role of relevant departments and agencies of the Federal Government to—

(i) ensure access to launch, communications, and freedom of navigation and other relevant infrastructure and services for civil and national security space programs and activities; and

(ii) identify vulnerabilities that could affect access to space infrastructure; and

(iii) address financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States; and

(B) recommendations and costs to improve the capabilities assessed pursuant to subparagraph (A), including recommendations with respect to—

(i) the electronic warfare capabilities of China and Russia; and

(ii) the use of counterspace weapons and cyber attacks by China and Russia.

(2) FORM.—The report under paragraph (1) may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

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

(B) the Committee on Science, Space, and Technology of the House of Representatives;

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

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

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

(F) the Committee on Foreign Relations of the Senate; and

(G) the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term ''launch site'' has the meaning given that term under section 50902 of title 51, United States Code.

SEC. 1755. NONIMMIGRANT STATUS FOR CERTAIN NATIONALS OF PORTUGAL.

For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar nonimmigrant status to nationals of the United States.

SEC. 1756. SENSE OF CONGRESS ON EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

It is the sense of Congress that—

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

(2) the Government of the Russian Federation uses its control over energy resources, including in the civil nuclear sector, to exert political influence and create economic dependency in other countries;

(3) the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation (commonly referred to as the ''Russian Suspension Agreement''), which limits imports of Russian uranium to 20 percent of the market share, is vital to averting American dependence on Russian energy;

(4) the United States should—

(A) expeditiously complete negotiation of an extension of the Russian Suspension Agreement to cap the market share for Russian uranium at 20 percent or lower; or

(B) if an agreement to extend the Russian Suspension Agreement cannot be reached, complete the antidumping investigation under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) with respect to imports of uranium from the Russian Federation—

(i) to avoid unfair trade in uranium and maintain a nuclear fuel supply chain in the United States, consistent with the national security and nonproliferation goals of the United States; and

(ii) to protect the United States nuclear fuel supply chain from the continued manipulation of the global and United States uranium markets by the Russian Federation and Russian-influenced competitors;

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

(6) as was done in 2008, upon completion of a new negotiated long-term extension of the Russian Suspension Agreement, Congress should enact legislation to codify the terms of extension into law to ensure long-term stability for the domestic nuclear fuel supply chain; and

(7) if the negotiations to extend the Russian Suspension Agreement prove unsuccessful, Congress should be prepared to enact legislation to prevent the manipulation by the Russian Federation of global uranium markets and potential domination by the Russian Federation of the United States uranium market.

SEC. 1757. AUTHORITY TO ESTABLISH A MOVEMENT COORDINATION CENTER PACIFIC IN THE INDOPACIFIC REGION.

(a) AUTHORITY TO ESTABLISH.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize—

(A) the establishment of a Movement Coordination Center Pacific (in this section referred to as the ''Center''); and

(B) participation of the Department of Defense in an Air Transport and Air-to-Air refueling and other Exchanges of Services program (in this section referred to as the ''ATARES program'') of the Center.

(2) SCOPE OF PARTICIPATION.—Participation in the ATARES program under paragraph (1)(B) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value with foreign militaries.

(3) LIMITATIONS.—The Department of Defense's balance of executed transportation hours, whether as credits or debits, in participation in the ATARES program under paragraph (1)(B) may not exceed 500 hours. The Department of Defense's balance of executed flight hours for air refueling in the ATARES program under paragraph (1)(B) may not exceed 200 hours.

(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) ARRANGEMENT OR AGREEMENT REQUIRED.—The participation of the Department of Defense in the ATARES or exchange like program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State.

(2) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost-sharing or other funding arrangement.

(3) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the Department of Defense's equitable share of the operating expenses of the Center and the ATARES program from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, within billets authorized for the United States Indo-Pacific Command, to duty at the Center as necessary to fulfill the Department of Defense obligations under that arrangement or agreement.

(d) REPORT.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report that contains—

(1) a summary of the coordination structure of the center and program, and details related to its formation and implementation;

(2) list of the military services, by country, participating or seeking to participate in the program;

(3) for each country on the list under paragraph (2), a description of completed agreements and those still to be completed with host nations, as applicable; and

(4) any other relevant matters that the Secretary determines should be included.

SEC. 1758. ESTABLISHMENT OF VETTING PROCEDURES AND MONITORING REQUIREMENTS FOR CERTAIN MILITARY TRAINING.

(a) ESTABLISHMENT OF VETTING PROCEDURES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish procedures to vet covered individuals for eligibility for physical access to Department of Defense installations and facilities within the United States.

(2) CRITERIA FOR PROCEDURES.—The procedures established under paragraph (1) shall include biographic and biometric screening of covered individuals, continuous review of whether covered individuals should continue to be authorized for physical access, biographic checks of the immediate family members of covered individuals, and any other measures that the Secretary determines appropriate for vetting.

(3) COLLECTION OF INFORMATION.—The Secretary shall—

(A) collect the information required to vet individuals under the procedures established under this subsection;

(B) as required for the effective implementation of this section, seek to enter into agreements with the relevant departments and agencies of the United States to facilitate the sharing of information in the possession of such departments and agencies concerning covered individuals; and

(C) ensure that the initial vetting of covered individuals is conducted as early and promptly as practicable, to minimize disruptions to United States programs to train foreign military students.

(b) DETERMINATION AUTHORITY.—

(1) REVIEW OF VETTING RESULTS.—The Secretary shall assign to an organization within the Department with responsibility for security and counterintelligence the responsibility of—

(A) reviewing the results of the vetting of a covered individual conducted under subsection (a); and

(B) making a recommendation regarding whether such individual should be given physical access to a Department of Defense installation or facility.

(2) NEGATIVE RECOMMENDATION.—If the recommendation with respect to a covered individual under paragraph (1)(B) is that the individual should not be given physical access to a Department of Defense installation or facility—

(A) such individual may only be given such access if such access is authorized by the Secretary of Defense or the Deputy Secretary of Defense; and

(B) the Secretary of Defense shall ensure that the Secretary of State is promptly provided with notification of such recommendation.

(c) ADDITIONAL SECURITY MEASURES.—

(1) SECURITY MEASURES REQUIRED.—The Secretary of Defense shall ensure that—

(A) all Department of Defense common access cards issued to foreign nationals in the United States comply with the credentialing standards issued by the Office of Personnel Management;

(B) all such common access cards issued to foreign nationals in the United States include a visual indicator as required by the standard developed by the Department of Commerce National Institute of Standards and Technology;

(C) physical access by covered individuals is limited, as appropriate, to those Department of Defense installations or facilities within the United States directly associated with the training or education or necessary for such individuals to access authorized benefits;

(D) a policy is in place covering possession of firearms on Department of Defense property by covered individuals;

(E) covered individuals who have been granted physical access to Department of Defense installations and facilities are incorporated into the Insider Threat Program of the Department of Defense; and

(F) covered individuals are prohibited from transporting, possessing, storing, or using personally owned firearms on Department of Defense installations or property consistent with the Secretary of Defense policy memorandum dated January 16, 2020.

(2) EFFECTIVE DATE.—The security measures required under paragraph (1) shall take effect on the date that is 181 days after the date of the enactment of this Act.

(3) NOTIFICATION REQUIRED.—Upon the establishment of the security measures required under paragraph (1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the establishment of such security measures.

(d) REPORTING REQUIREMENTS.—

(1) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representative a briefing on the establishment of any policy or guidance related to the implementation of this section.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to such committees a report on the implementation and effects of this section. Such report shall include a description of—

(A) any positive or negative effects on the training of foreign military students as a result of this section;

(B) the effectiveness of the vetting procedures implemented pursuant to this section in preventing harm to members of the Armed Forces and United States persons;

(C) any mitigation strategies used to address any negative effects of the implementation of this section; and

(D) a proposed plan to mitigate any ongoing negative effects to the vetting and training of foreign military students by the Department of Defense.

(e) DEFINITIONS.—In this section:

(1) The term ''covered individual'' means any foreign national (except foreign nationals of Australia, Canada, New Zealand, and the United Kingdom who have been granted a security clearance that is reciprocally accepted by the United States for access to classified information) who—

(A) is seeking physical access to a Department of Defense installation or facility within the United States; and

(B) is—

(i) selected, nominated, or accepted for training or education for a period of more than 14 days occurring on a Department of Defense installation or facility within the United States; or

(ii) an immediate family member accompanying any foreign national who has been selected, nominated, or accepted for such training or education.

(2) The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(3) The term ''immediate family member'' with respect to any individual means the parent, step-parent, sibling, step-sibling, half-sibling, child, or step-child of the individual.

SEC. 1759. WOMEN, PEACE, AND SECURITY ACT IMPLEMENTATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that $15,000,000 annually is an appropriate allocation of funding to be made available for activities consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and with any guidance specified in this section, in order to fully implement such Act and in furtherance of the national security priorities of the United States.

(b) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending on September 30, 2025, the Secretary of Defense shall carry out activities consistent with the Women, Peace, and Security Act of 2017 and with the guidance specified in this section, including by carrying out—

(1) any Defense-wide directives and programs that advance the implementation of the Women, Peace, and Security Act of 2017, including directives relating to military doctrine, programs that are applicable across the Department, and programs that are specific to a combatant command;

(2) the hiring and training of full-time equivalent personnel as gender advisors of the Department;

(3) the integration of gender analysis into training for military personnel across ranks, to include special emphasis on senior level training and support for women, peace, and security; and

(4) security cooperation activities that further implement the Women, Peace, and Security Act of 2017.

(c) SECURITY COOPERATION ACTIVITIES.—Consistent with the Women, Peace, and Security Act of 2017, the Secretary of Defense, in coordination with the Secretary of State, shall incorporate gender analysis and participation by women into security cooperation activities conducted with the national security forces of foreign countries pursuant to subsection (b)(4), including by—

(1) incorporating gender analysis (including data disaggregated by sex) and priorities for women, peace, and security into educational, training, and capacity-building materials and programs, including as authorized by section 333 of title 10, United States Code;

(2) advancing and advising on the recruitment, employment, development, retention, and promotion of women in the national security forces of such foreign countries, including by—

(A) identifying available military career opportunities for women;

(B) promoting such career opportunities among women and girls;

(C) promoting the skills necessary for such careers;

(D) encouraging the interest of women and girls in such careers, including by highlighting as role models women in such careers in the United States or in applicable foreign countries; and

(E) advising on best practices to prevent the harassment and abuse of women serving in the national security forces of such foreign countries;

(3) incorporating training and advising to address sexual harassment and abuse against women within such national security forces;

(4) integrating gender analysis into policy and planning; and

(5) ensuring any infrastructure constructed pursuant to the security cooperation activity addresses the requirements of women serving in such national security forces, including by addressing appropriate equipment.

(d) PARTNER COUNTRY ASSESSMENTS.—The Secretary of Defense shall include in any partner country assessment conducted in the course of carrying out security cooperation activities specified in subsection (b)(4) consideration of any barriers or opportunities with respect to women in the national security forces of such partner countries, including any barriers or opportunities relating to—

(1) protections against exploitation, abuse, and harassment; or

(2) recruitment, employment, development, retention, or promotion of the women.

(e) STANDARDIZATION OF POLICIES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall initiate a process to standardize policies relating to women, peace, and security across the Department of Defense.

(2) ROLES, RESPONSIBILITIES, AND REQUIREMENTS.—In carrying out the process initiated under paragraph (1), the Secretary shall establish roles, responsibilities, and requirements for gender advisors, gender focal points, and women, peace, and security subject matter experts, including with respect to commander and senior official-level engagement and support for women, peace, and security commitments.

(f) DEPARTMENT EDUCATION, AND TRAINING.—The Secretary of Defense shall—

(1) integrate gender analysis into relevant training for all members of the Armed Forces and civilian employees of the Department of Defense;

(2) develop standardized training, across the Department, for gender advisors, gender focal points, and women, peace, and security subject matter experts; and

(3) ensure that gender analysis and the meaningful participation of women and their relationship to security outcomes is addressed in professional military education curriculum.

(g) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Security Cooperation Agency shall provide a briefing to the appropriate committees of Congress on the efforts to build partner defense institution and security force capacity pursuant to this section.

(h) REPORTS.—During the period beginning on the date of the enactment and ending on January 1, 2025, on a basis that is not less frequently than annually, the Secretary of Defense shall submit to the appropriate committees of Congress reports on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017, including with respect to activities carried out under this section.

(i) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) The term ''gender analysis'' has the meaning given that term in the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428; 132 Stat. 5509).

SEC. 1760. DEVELOPING CRISIS CAPABILITIES TO MEET NEEDS FOR HOMELAND SECURITY-CRITICAL SUPPLIES.

(a) IN GENERAL.—The Secretary of Homeland Security shall coordinate with the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency, and the heads of other relevant Federal departments and agencies—

(1) to identify categories of homeland security-critical supplies that would be needed to address potential national emergencies or disasters, including any public health emergency, act of terrorism (as defined in section 3077 of title 18, United States Code), cyber attack, and other attack;

(2) to develop plans, designs, and guidance relating to the production, in accordance with other applicable law, of the categories of homeland security-critical supplies identified pursuant to paragraph (1) to address the respective national emergencies and disasters, including such production by nontraditional manufacturers; and

(3) based on such final plans, designs, and guidance, to enter into such contingent arrangements with governmental and private entities, in accordance with other applicable law, as may be necessary to expedite the production of homeland security-critical supplies in the event of a national emergency or disaster.

(b) PROCESS.—In coordinating the development or revision of a plan, design, or guidance with respect to any homeland security-critical supply under this section:

(1) The Secretary of Homeland Security shall give each Federal department or agency with responsibility for regulating the supply an opportunity—

(A) to contribute to the development or revision of the plan, design, or guidance; and

(B) to approve or disapprove the plan, design, or guidance under regulations appropriate to approving the supply for emergency or disaster use.

(2) If a Federal department or agency with responsibility for regulating the homeland security-critical supply disapproves of the plan, design, or guidance with respect to the supply, the head of the disapproving department or agency shall provide to the Secretary of Homeland Security the rationale for the disapproval.

(3) The Secretary of Homeland Security may—

(A) if no Federal department or agency disapproves a plan, design, or guidance as described in paragraphs (1)(B) and (2), finalize the plan, design, or guidance for purposes of subsections (a)(3) and (c); and

(B) if a Federal department or agency does disapprove a plan, design, or guidance as described in paragraphs (1)(B) and (2), provide an updated plan, design, or guidance for review and approval or disapproval in accordance with paragraphs (1) and (2).

(c) PUBLIC POSTING.—The Secretary of Homeland Security shall publish each final plan, design, or guidance that is developed under this section on a public Internet website, except that the Secretary may withhold publication of, or redact information from the publication of, a plan, design, or guidance if—

(1) publicly posting the information would not be in the interest of homeland security;

(2) the information is protected from public disclosure by other applicable law; or

(3) the information is protected from public disclosure by contract.

(d) RELATION TO OTHER LAW.—Nothing in this section shall be construed to expand, repeal, limit, or otherwise affect the provisions of other applicable law pertaining to the regulation of a homeland security-critical supply.

(e) BIENNIAL REVIEW.—Not less than every two years, in accordance with subsections (a) through (e), the Secretary of Homeland Security shall coordinate the review and, as needed, revision of each plan, design, and guidance in effect under this section.

(f) DEFINITION.—In this section:

(1) The term ''homeland security-critical supply''—

(A) means any supply needed to ensure public safety and welfare during—

(i) a national emergency or disaster, including any public health emergency, act of terrorism (as defined in section 3077 of title 18, United States Code), cyber attack, and other attack; or

(ii) any other reasonably foreseeable contingency of grave consequence to the United States during which shortages are reasonably anticipated; and

(B) includes a vaccine, a medication, medical equipment, and personal protective equipment.

(2) The term ''nontraditional manufacturer'' may include (as determined by the Secretary)—

(A) a home craftsperson;

(B) a distiller;

(C) a cosmetic manufacturer;

(D) a manufacturing facility primarily designed for an industry other than manufacturing homeland security-critical supplies;

(E) an institution of higher education;

(F) an advanced manufacturing facility;

(G) a machine shop; and

(H) a research laboratory.

SEC. 1761. ESTABLISHMENT OF WESTERN EMERGENCY REFINED PETROLEUM PRODUCTS RESERVE.

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Director of the Defense Logistics Agency, shall establish a reserve, to be known as the ''Western Emergency Refined Petroleum Products Reserve'' (in this section referred to as the ''Reserve''), to store refined petroleum products that may be made available to military and governmental entities during an emergency situation, as determined appropriate by the Secretary of Defense.

(b) USE OF RESERVE.—In accordance with subsection (a), the Secretary of Defense may make refined petroleum products stored in the Reserve available to other Federal agencies, State and local governments, and any other public entity determined appropriate by the Secretary of Defense.

(c) REIMBURSEMENT.—The Secretary of Defense shall require reimbursement for associated costs for storage capacity or refined petroleum products made available to other Federal agencies, State or local governments, or any other public entity pursuant to this section.

(d) LOCATION.—The Reserve shall—

(1) be located in the western region of the United States;

(2) utilize salt cavern storage; and

(3) be in immediate proximity to existing pipeline, rail, and highway infrastructure.

(e) CONDITION ON COMMENCEMENT.—Commencement of the program shall be subject to the availability of appropriations for the program.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2021''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2024 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2020; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	$91,500,000
Arizona	Yuma Proving Ground	$14,000,000
Colorado	Fort Carson	$28,000,000
Georgia	Fort Gillem	$71,000,000
	Fort Gordon	$80,000,000
Hawaii	Fort Shafter	$26,000,000
	Schofield Barracks	$39,000,000
	Wheeler Army Air Field	$89,000,000
Louisiana	Fort Polk	$25,000,000
Oklahoma	McAlester Army Ammunition Plant	$35,000,000
Virginia	Humphreys Engineer Center	$51,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations, and in the amounts, set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Italy	Vicenza	Family Housing New Construction	$84,100,000

***Army: Family Housing**—Continued*

State/Country	Installation	Units	Amount
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	$32,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,300,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. LIMITATION ON MILITARY CONSTRUCTION PROJECT AT KWAJALEIN ATOLL.

The Secretary of the Army may not commence the military construction project authorized by section 2101(b) at Kwajalein Atoll, as specified in the funding table in section 4601, and none of the funds authorized to be appropriated by this Act for that military construction project may be obligated or expended, until the Secretary submits to Committees on Armed Services of the House of Representatives and the Senate a design plan for the project that ensures that, upon completion of the project, the project will be resilient to 15 inches of sea level rise and periods of complete inundation and wave-overwash predicted during the 10-year period beginning on the date of the enactment of this Act.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization contained in the table in section 2102(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2689) for Camp Walker, Korea, for family housing new construction, as specified in the funding table in section 4601 of such Act (130 Stat. 2883), the Secretary of the Army may construct an elevated walkway between two existing parking garages to connect children's playgrounds.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	$99,600,000
California	Marine Corps Base Camp Pendleton	$68,530,000
	Naval Air Station Lemoore	$187,220,000
	Naval Base San Diego	$128,500,000
	Marine Corps Air Ground Combat Center Twentynine Palms	$76,500,000
Guam	Andersen Air Force Base	$21,280,000
	Joint Region Marianas	$546,550,000
Hawaii	Joint Base Pearl Harbor-Hickam	$114,900,000
Maine	Portsmouth Naval Shipyard	$715,000,000
Nevada	Fallon Range Training Complex	$29,040,000
Virginia	Naval Station Norfolk	$30,400,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Naval Support Activity Bahrain	$68,340,000
Greece	Naval Support Activity Souda Bay	$50,180,000
Spain	Naval Station Rota	$60,110,000

SEC. 2202. FAMILY HOUSING AND IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) FAMILY HOUSING.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $5,854,000.

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $37,043,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military 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
California	Edwards Air Force Base	$40,000,000
Guam	Joint Region Marianas	$56,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$22,000,000
Texas	Joint Base San Antonio	$19,500,000
Virginia	Joint Base Langley-Eustis	$19,500,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Qatar	Al Udeid	$26,000,000

SEC. 2302. FAMILY HOUSING AND IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) FAMILY HOUSING.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,969,000.

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $94,245,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

(a) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826) for Royal Air Force Lakenheath, United Kingdom, for construction of a 2,384 square-meter Consolidated Corrosion Control Facility, as specified in the funding table in section 4601 of such Act (131 Stat. 2004), the Secretary of the Air Force may construct a 2,700 square-meter Consolidated Corrosion Control and Wash Rack Facility.

(b) MODIFICATION OF PROJECT AMOUNTS.—

(1) DIVISION B TABLE.—The authorization table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826) is amended in the item relating to Royal Air Force Lakenheath, United Kingdom, by striking ''$136,992,000'' and inserting ''$172,292,000'' to reflect the project modification made by subsection (a).

(2) DIVISION D TABLE.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 2004) is amended in the item relating to Royal Air Force Lakenheath, Consolidated Corrosion Control Facility, by striking ''$20,000'' in the Conference Authorized column and inserting ''$55,300'' to reflect the project modification made by subsection (a).

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) EIELSON AIR FORCE BASE, ALASKA.—In the case of the authorization contained in the table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) for Eielson Air Force Base, Alaska, for construction of a F-35 CATM Range, as specified in the funding table in section 4601 of such Act (132 Stat. 2404), the Secretary of the Air Force may construct a 426 square-meter outdoor range with covered and heated firing lines.

(b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

(1) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) for Barksdale Air Force Base, Louisiana, for construction of an Entrance Road and Gate Complex the Secretary of the Air Force may construct a 190 square meter visitor control center, 44 square meter gate house, 124 square meter privately owned vehicle inspection facility, 338 square meter truck inspection facility and a 45 square meter gatehouse.

(2) PROJECT CONDITIONS.—The military construction project referred to in paragraph (1) shall be carried out consistent with the Unified Facilities Criteria relating to Entry Control Facilities and applicable construction guidelines of the Department of the Air Force. Construction in a flood plain is authorized, subject to the condition that the Secretary of the Air Force include appropriate mitigation measures.

(3) MODIFICATION OF PROJECT AMOUNTS.—

(A) DIVISION B TABLE.—The authorization table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) is amended in the item relating to Barksdale Air Force Base, Louisiana, by striking ''$12,250,000'' and inserting ''$48,000,000'' to reflect the project modification made by paragraph (1).

(B) DIVISION D TABLE.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2404) is amended in the item relating to Barksdale Air Force Base, Louisiana, by striking ''$12,250'' in the Conference Authorized column and inserting ''$48,000'' to reflect the project modification made by paragraph (1).

(c) ROYAL AIR FORCE LAKENHEATH, UNITED KINGDOM.—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2247) for Royal Air Force Lakenheath, United Kingdom, for construction of a 485 square-meter F-35A ADAL Conventional Munitions MX, as specified in the funding table of section 4601 of such Act (132 Stat. 2405), the Secretary of the Air Force may construct a 1,206 square-meter maintenance facility for such purpose.

(d) FORCE PROTECTION AND SAFETY.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2406) is amended in the item relating to Force Protection and Safety under Military Construction, Air Force, by striking ''$35,000'' in the Conference Authorized column and inserting ''$50,000'' to reflect amounts appropriated for such purpose.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS.

(a) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorizations contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of an Auxiliary Ground Equipment Facility, as specified in the funding table in section 4603 of such Act (133 Stat. 2103), the Secretary of the Air Force may construct up to 4,770 square meters of aircraft support equipment storage;

(2) for construction of Dorm Complex Phase 1, as specified in such funding table, the Secretary of the Air Force may construct up to 18,770 square meters of visiting quarters;

(3) for construction of Lodging Facilities Phase 1, as specified in such funding table, the Secretary of the Air Force may construct up to 12,471 meters of visiting quarters.

(4) for construction of an Operations Group/Maintenance Group HQ at the installation, as specified in such funding table, the Secretary of the Air Force may construct up to 3,420 square meters of headquarters;

(5) for construction of Ops/Aircraft Maintenance Unit/Hangar number 2 and Ops/Aircraft Maintenance Unit/Hangar number 3, as specified in such funding table, the Secretary of the Air Force may construct 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for each project;

(6) for construction of a Security Forces Mobility Storage Facility, as specified in such funding table, the Secretary of the Air Force may construct up to 930 square meters of equipment storage; and

(7) for construction of Site Development, Utilities, and Demolition Phase 2, as specified in such funding table, the Secretary of the Air Force may construct up to 7,000 meters of storm water piping, box culverts, underground detention, and grading for surface detention.

(b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the case of the authorizations contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Offutt Air Force Base, Nebraska—

(1) for construction of an Emergency Power Microgrid, as specified in the funding table in section 4603 of such Act (133 Stat. 2104), the Secretary of the Air Force may construct seven 2.5-megawatt diesel engine generators, seven diesel exhaust fluid systems, 15-kV switchgear, two import/export inter-ties, five import-only inter-ties, and 800 square meters of switchgear facility;

(2) for construction of a Flightline Hangars Campus, as specified in such funding table, the Secretary of the Air Force may construct 445 square meter of petroleum operations center, 268 square meters of de-icing liquid storage, and 173 square meters of warehouse; and

(3) for construction of a Lake Campus, as specified in such funding table, the Secretary of the Air Force may construct 240 square meters of recreation complex and 270 square meters of storage;

(4) for construction of a Logistics Readiness Squadron Campus, as specified in such funding table, the Secretary of the Air Force may construct 2,536 square meters of warehouse; and

(5) for construction of a Security Campus, as specified in such funding table, the Secretary of the Air Force may construct 4,218 square meters of operations center and 1,343 square meters of military working dog kennel.

(c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the case of the authorization contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Joint Base Langley-Eustis, Virginia, for construction of a Dormitory at the installation, as specified in the funding table in section 4603 of such Act (133 Stat. 2104), the Secretary of the Air Force may construct up to 6,720 square meters of dormitory.

SEC. 2307. TECHNICAL CORRECTIONS RELATED TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 FAMILY HOUSING PROJECTS.

(a) AUTHORIZATION OF OMITTED SPANGDAHLEM AIR BASE FAMILY HOUSING PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1869) and available for military family housing functions, the Secretary of the Air Force may carry out the military family housing project at Spangdahlem Air Base, Germany, as specified in the funding table in section 4601 of such Act (133 Stat. 2099).

(b) CORRECTION OF AMOUNT AUTHORIZED FOR FAMILY HOUSING IMPROVEMENTS.—Section 2303 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1869) is amended by striking ''$53,584,000'' and inserting ''$46,638,000'' to reflect the amount specified in the funding table in section 4601 of such Act (133 Stat. 2099) for Construction Improvements under Family Housing Construction, Air Force.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military 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
	Marine Corps Air Station Yuma	$49,500,000
California	Beale Air Force Base	$22,800,000
Colorado	Fort Carson	$15,600,000
CONUS Unspecified	CONUS Unspecified	$14,400,000
Florida	Hurlburt Field	$83,120,000
Kentucky	Fort Knox	$69,310,000
New Mexico	Kirtland Air Force Base	$46,600,000
North Carolina	Fort Bragg	$113,800,000
Ohio	Wright-Patterson Air Force Base	$23,500,000
Texas	Fort Hood	$32,700,000
Virginia	Joint Expeditionary Base Little Creek-Story	$112,500,000
Washington	Joint Base Lewis-McChord	$21,800,000
	Navy Fuel Depot Manchester	$82,000,000

(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	Defense Fuel Support Point Tsurumi	$49,500,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	$24,000,000
Arkansas	Ebbing Air National Guard Base	$2,600,000
California	Marine Corps Air Ground Combat Center Twentynine Palms	$11,646,000
	Military Ocean Terminal Concord	$29,000,000
	Naval Support Activity Monterey	$10,540,000
	Naval Air Weapons Station China Lake	$8,950,000
District of Columbia	Joint Base Anacostia-Bolling	$44,313,000
Georgia	Fort Benning	$17,000,000
Maryland	Naval Support Activity Bethesda	$13,840,000
	Naval Support Activity South Potomac	$18,460,000
Missouri	Whiteman Air Force Base	$17,310,000
Nevada	Creech Air Force Base	$32,000,000
North Carolina	Fort Bragg	$6,100,000
Ohio	Wright-Patterson Air Force Base	$35,000,000

ERCIP Projects: Inside the United States—*Continued*

State	Installation or Location	Amount
Tennessee	Memphis Air National Guard Base	$4,780,000
Virginia	Naval Medical Center Portsmouth	$611,000
	Surface Combat Systems Center Wallops Island	$9,100,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installation or location outside the United States, and in the amount, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Italy	Naval Support Activity Naples	$3,490,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MILITARY CONSTRUCTION INFRASTRUCTURE AND WEAPON SYSTEM SYNCHRONIZATION FOR GROUND BASED STRATEGIC DETERRENT.

(a) AUTHORIZATION FOR PLANNING AND DESIGN.—Of the amounts authorized to be appropriated for research, development, test, and evaluation, Air Force, for fiscal year 2021, for the Ground Based Strategic Deterrent, as specified in the funding table in section 4201, the Secretary of the Air Force may use not more than $15,000,000 for the purpose of obtaining or carrying out necessary planning and construction design in connection with military construction projects and other infrastructure projects necessary to support the development and fielding of the Ground Based Strategic Deterrent weapon system.

(b) AIR FORCE PROJECT MANAGEMENT AND SUPERVISION.—Each contract entered into by the United States for a military construction project or other infrastructure project in connection with the development and fielding of the Ground Based Strategic Deterrence weapon system shall be carried out under the direction and supervision of the Secretary of the Air Force. The Secretary may utilize and consult with the Air Force Civil Engineer Center, the Army Corps of Engineers, and the Naval Facilities Engineering Command for subject matter expertise, contracting capacity, and other support as determined to be necessary by the Secretary to carry out this section.

(c) USE OF SINGLE PRIME CONTRACTOR.—The Secretary of the Air Force may award contracts for planning and construction design and for military construction projects and other infrastructure projects authorized by law in connection with the development and fielding of the Ground Based Strategic Deterrent weapon system to a single prime contractor if the Secretary determines that awarding the contracts to a single prime contractor—

(1) is in the best interest of the Government; and

(2) is necessary to ensure the proper synchronization and execution of work related to the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated military construction projects and other infrastructure projects.

(d) EXCEPTIONS TO CURRENT LAW.—The Secretary of the Air Force may carry out this section without regard to the following provisions of law:

(1) Section 2304 of title 10, United States Code.

(2) Section 2807(a) of such title.

(3) Section 2851(a) of such title.

(e) EXPIRATION OF AUTHORITY.—The authorities provided by this section shall expire upon the earlier of the following:

(1) The date that is 15 years after the date of the enactment of this Act.

(2) The date on which the Secretary of the Air Force submits to the congressional defense committees a certification that the fielding of the Ground Based Strategic Deterrent weapon system is complete.

(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report describing the plans to synchronize the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated military construction projects and other infrastructure projects. The report shall contain, at minimum, the following elements:

(1) A description of the estimated total cost, scope of work, location, and schedule for the planning and design, military construction, and other infrastructure investments necessary to support the development and fielding of the Ground Based Strategic Deterrent weapon system.

(2) A recommendation regarding the methods by which a programmatic military construction authorization, authorization of appropriations, and appropriation, on an installation-by-installation basis, could be used to support the synchronized development and fielding of the Ground Based Strategic Deterrent and its associated military construction projects and other infrastructure projects.

(3) Identification of the specific provisions of law, if any, that the Secretary determines may adversely impact or delay the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated construction projects, assuming, as described in paragraph (2), the use of a programmatic military construction authorization on an installation-by-installation basis.

(4) A plan to ensure sufficient capability and capacity to cover civilian and military manning for oversight and contract management related to the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated construction projects.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

(a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

(b) AUTHORITY TO CARRY OUT PROJECT AND RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may carry out the project and recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Carroll	Site Development	$49,000,000
Army	Camp Humphreys	Attack Reconnaissance Battalion Hangar	$99,000,000

***Republic of Korea Funded Construction Projects**—Continued*

Component	Installation or Location	Project	Amount
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	Munitions Storage Area Delta (Phase 1)	$84,000,000
Defense-Wide	Camp Humphreys	Elementary School	$58,000,000

SEC. 2512. STATE OF QATAR FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the State of Qatar for required in-kind contributions, the Secretary of Defense may accept military construction projects for Al Udeid Air Base in the State of Qatar, and in the amounts, set forth in the following table:

State of Qatar Funded Construction Projects

Component	Installation	Project	Amount
Air Force	Al Udeid	Billet (A12)	$63,000,000
		Billet (BI2)	$63,000,000
		Billet (D l 0)	$77,000,000
		Billet (009)	$77,000,000
		Billet (007)	$77,000,000
		Armory/Mount	$7,200,000
		Billet (A06)	$77,000,000
		Dining Facility	$14,600,000
		Billet (BOS)	$77,000,000
		Billet (B04)	$77,000,000
		Billet (A04)	$77,000,000
		Billet (AOS)	$77,000,000
		Dining Facility	$14,600,000
		MSG (Base Operations Support Facility)	$9,300,000
		ITN (Communications Facility)	$3,500,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Arizona	National Guard Armory Tucson	$18,100,000
Colorado	Peterson Air Force Base	$15,000,000
Indiana	Army Aviation Support Facility Shelbyville	$12,000,000
Kentucky	Boone National Guard Center Frankfort	$15,000,000
Mississippi	National Guard Armory Brandon	$10,400,000
Nebraska	National Guard Armory North Platte	$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$15,000,000
Ohio	Beightler Armory Columbus	$15,000,000
Oregon	Hermiston National Guard Armory	$25,035,000
Puerto Rico	Fort Allen	$37,000,000
South Carolina	Joint Base Charleston	$15,000,000
Tennessee	National Guard Armory McMinnville	$11,200,000
Texas	National Guard Readiness Center Fort Worth	$13,800,000
Utah	National Guard Armory Nephi	$12,000,000
Virgin Islands	LTC Lionel A. Jackson Armory St. Croix	$39,400,000
Wisconsin	National Guard Armory Appleton	$11,600,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Florida	Reserve Center Gainesville	$36,000,000
Massachusetts	Devens Reserve Forces Training Area	$8,700,000
North Carolina	Reserve Center Asheville	$24,000,000
Wisconsin	Fort McCoy	$14,600,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out the military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Maryland	Reserve Training Center, Camp Fretterd Reisterstown	$39,500,000
Utah	Hill Air Force Base	$25,010,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport Air National Guard Base	$11,600,000
Guam	Joint Region Marianas	$20,000,000
Maryland	Joint Base Andrews	$9,400,000
Texas	Joint Base San Antonio	$10,800,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve location inside the United States, and in the amount, set forth in the following table:

Air Force Reserve

State	Location	Amount
Texas	Naval Air Station Joint Reserve Base Fort Worth	$14,200,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECT.

In the case of the authorization contained in the table in section 2601 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1875) for Anniston Army Depot, Alabama, for construction of an Enlisted Transient Barracks, as specified in the funding table in section 4601 of such Act (133 Stat. 2096), the Secretary of the Army may carry out the project at Fort McClellan, Alabama.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

SEC. 2801. MODIFICATION AND CLARIFICATION OF CONSTRUCTION AUTHORITY IN THE EVENT OF A DECLARATION OF WAR OR NATIONAL EMERGENCY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2808 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

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

''(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

''(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used only within the United States, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.''.

(b) ADDITIONAL CONDITIONS ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended by striking the second sentence and inserting the following new subsection:

''(b) CONDITIONS ON SOURCES OF FUNDS.—A military construction project to be undertaken using the construction authority described in subsection (a) may be undertaken only within the total amount of funds that have been appropriated for military construction, including funds appropriated for family housing, that—

''(1) remain unobligated as of the date on which the first contract would be entered into in connection with that military construction project undertaken using such authority; and

''(2) are available because the military construction project for which the funds were appropriated—

''(A) has been canceled; or

''(B) has reduced costs as a result of project modifications or other cost savings.''.

(c) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting after subsection (c), as added by subsection (a), the following new subsection:

''(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law that would otherwise apply to a military construction project authorized by this section may be used only if—

''(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; and

''(2) the Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.''.

(d) ADDITIONAL NOTIFICATION REQUIREMENTS.—Subsection (e) of section 2808 of title 10, United States Code, as redesignated by subsection (a)(1), is amended—

(1) by striking ''of the decision'' and all that follows through the end of the subsection and inserting the following: ''of the following:

''(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, the reasons why use of the armed forces is required in response to the declared national emergency.

''(B) The construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each construction project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

''(C) The estimated cost of the construction projects to be undertaken using the construction authority described in subsection (a), including the cost of any real estate action pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

''(D) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

''(E) The military construction projects, including any military family housing and ancillary supporting facility projects, whose cancellation, modification, or other cost savings result in funds being available to undertake construction projects using the construction authority described in subsection (a) and the possible impact of the cancellation or modification of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents.''; and

(2) by adding at the end the following new paragraph:

''(2) In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification required by paragraph (1) is received by the appropriate committees of Congress.''.

(e) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(1) in subsection (a), by inserting ''CONSTRUCTION AUTHORIZED.—'' after ''(a)'';

(2) in subsection (e), as redesignated by subsection (a)(1), by inserting ''NOTIFICATION REQUIREMENT.—(1)'' after ''(e)''; and

(3) in subsection (f), as redesignated by subsection (a)(1), by inserting ''TERMINATION OF AUTHORITY.—'' after ''(f)''.

(f) EXCEPTION FOR PANDEMIC MITIGATION AND RESPONSE PROJECTS.—Subsections (b), (c), (d) of section 2808 of title 10, United States Code, as added by this section, shall not apply to a military construction project commenced under the authority of subsection (a) of such section 2808 during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)) if the Secretary of Defense determines that the military construction project will directly support pandemic mitigation and response efforts of health care providers or support members of the Armed Forces directly participating in such pandemic mitigation and response efforts. Subsection (e) of section 2808 of title 10, United States Code, as redesignated by subsection (a)(1) and amended by subsection (d) of this section, shall still apply to any such military construction project.

SEC. 2802. EXTENSION OF SUNSET FOR ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805(f)(3) of title 10, United States Code, is amended by striking ''2022'' and inserting ''2027''.

SEC. 2803. MODIFICATION OF REPORTING REQUIREMENT REGARDING COST INCREASES ASSOCIATED WITH CERTAIN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) ELIMINATION OF SUBMISSION TO COMPTROLLER GENERAL.—Section 2853(f) of title 10, United States Code, is amended—

(1) in paragraphs (1) and (3), by striking ''and the Comptroller General of the United States''; and

(2) by striking paragraph (6).

(b) SYNCHRONIZATION OF NOTIFICATION REQUIREMENTS.—Section 2853(c)(1) of title 10, United States Code, is amended by inserting after ''cost increase'' in the matter preceding subparagraph (A) the following: ''(subject to subsection (f))''.

SEC. 2804. EXPANSION OF DEPARTMENT OF DEFENSE LAND EXCHANGE AUTHORITY.

(a) ADDITIONAL PURPOSES AUTHORIZED.—Paragraph (1) of section 2869(a) of title 10, United States Code, is amended by striking ''the real property, to transfer'' and all that follows through the end of the paragraph and inserting the following: ''the real property—

''(A) to transfer to the United States all right, title, and interest of the person in and to a parcel of real property, including any improvements thereon under the person's control;

''(B) to carry out a land acquisition, including the acquisition of all right, title, and interest or a lesser interest in real property under an agreement entered into under section 2684a of this title to limit encroachments and other constraints on military training, testing, and operations; or

''(C) to provide installation-support services (as defined in 2679(e) of this title), a replacement facility, or improvements to an existing facility, as agreed upon between the Secretary concerned and the person.''.

(b) REQUIREMENTS FOR ACCEPTANCE OF REPLACEMENT FACILITIES.—Section 2869(a) of title 10, United States Code, is further amended by adding at the end the following new paragraph:

''(3) The Secretary concerned may agree to accept a replacement facility or improvements to an existing facility under paragraph (1)(C) only if the Secretary concerned determines that the replacement facility or improvements—

''(A) are completed and usable, fully functional, and ready for occupancy;

''(B) satisfy all operational requirements; and

''(C) meet all Federal, State, and local requirements applicable to the facility relating to health, safety, and the environment.''.

(c) FAIR MARKET VALUE REQUIREMENT.—Section 2869(b)(1) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''of the land to be'' and inserting ''of the real property, installation-support services, replacement facility, or improvements to an existing facility''; and

(2) in the second sentence, by striking ''of the land is less than the fair market value of the real property to be conveyed'' and inserting ''of the real property conveyed by the Secretary concerned exceeds the fair market value of the real property, installation-support services, replacement facility, or improvements received by the Secretary''.

(d) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—Section 2869 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—The acquisition of real property or an interest therein, a replacement facility, or improvements to an existing facility using the authority provided by this section shall not be treated as a military construction project for which an authorization is required by section 2802 of this title.''.

(e) DELAYED IMPLEMENTATION OF AMENDMENTS.—The amendments made by this section shall take effect on the date of the enactment of this Act, but the Secretary concerned (as defined in section 2801(c)(5) of title 10, United States Code) may not enter into any real estate transaction authorized by such amendments until after the date on which the Secretary of Defense issues final regulations providing for the implementation of such amendments by the Department of Defense.

SEC. 2805. CONGRESSIONAL PROJECT AUTHORIZATION REQUIRED FOR MILITARY CONSTRUCTION PROJECTS FOR ENERGY RESILIENCE, ENERGY SECURITY, AND ENERGY CONSERVATION.

(a) REPLACEMENT OF NOTICE AND WAIT AUTHORITY.—Section 2914 of title 10, United States Code, is amended to read as follows:

''§2914. Military construction projects for energy resilience, energy security, and energy conservation

''(a) PROJECT AUTHORIZATION REQUIRED.—The Secretary of Defense may carry out such military construction projects for energy resilience, energy security, and energy conservation as are authorized by law, using funds appropriated or otherwise made available for that purpose.

''(b) SUBMISSION OF PROJECT PROPOSALS.—(1) As part of the Department of Defense Form 1391 submitted to the appropriate committees of Congress for a military construction project covered by subsection (a), the Secretary of Defense shall include the following information:

''(A) The project title.

''(B) The location of the project.

''(C) A brief description of the scope of work.

''(D) The original project cost estimate and the current working cost estimate, if different.

''(E) Such other information as the Secretary considers appropriate.

''(2) In the case of a military construction project for energy conservation, the Secretary also shall include the following information:

''(A) The original expected savings-to-investment ratio and simple payback estimates and measurement and verification cost estimate.

''(B) The most current expected savings-to-investment ratio and simple payback estimates and measurement and verification plan and costs.

''(C) A brief description of the measurement and verification plan and planned funding source.

''(3) In the case of a military construction project for energy resilience or energy security, the Secretary also shall include the rationale for how the project would enhance mission assurance, support mission critical functions, and address known vulnerabilities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 173 of title 10, United States Code, is amended by striking the item relating to section 2914 and inserting the following new item:

''2914. Military construction projects for energy resilience, energy security, and energy conservation.''.

SEC. 2806. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(a) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264), is further amended—

(1) in paragraph (1), by striking ''December 31, 2020'' and inserting ''December 31, 2021''; and

(2) paragraph (2), by striking ''fiscal year 2021'' and inserting ''fiscal year 2022''.

(b) CONTINUATION OF LIMITATION ON USE OF AUTHORITY.—Subsection (c) of section 2808 of

the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(b) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264), is further amended—

(1) by striking ''either'' and inserting ''each''; and

(2) by inserting after the first paragraph (2) the following new subparagraph:

''(C) The period beginning October 1, 2020, and ending on the earlier of December 31, 2021, or the date of the enactment of an Act authorizing funds for military activities of the Department of Defense for fiscal year 2022.''.

(c) TECHNICAL CORRECTIONS.—Subsection (c) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(b) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264) and subsection (b) of this section, is further amended—

(1) by redesignating the second paragraph (1) as subparagraph (A); and

(2) by redesignating the first paragraph (2) as subparagraph (B).

SEC. 2807. PILOT PROGRAM TO SUPPORT COMBATANT COMMAND MILITARY CONSTRUCTION PRIORITIES.

(a) PILOT PROGRAM.—The Secretary of Defense shall conduct a pilot program to evaluate the usefulness of reserving a portion of the military construction funds of the military departments to help the combatant commands satisfy their military construction priorities in a timely manner.

(b) LOCATION.—The Secretary of Defense shall conduct the pilot program for the benefit of the United States Indo-Pacific Command in the area of responsibility of the United States Indo-Pacific Command.

(c) REQUIRED INVESTMENT.—For each fiscal year during which the pilot program is conducted, the Secretary of Defense shall reserve to carry out military construction projects under the pilot program an amount equal to 10 percent of the total amount authorized to be appropriated for military construction projects by titles XXI, XXII, and XXIII of the Military Construction Authorization Act for that fiscal year.

(d) COMMENCEMENT AND DURATION.—

(1) COMMENCEMENT.—The Secretary of Defense shall commence the pilot program no later than October 1, 2023. The Secretary may commence the pilot program as early as October 1, 2022, if the Secretary determines that compliance with the reservation of funds requirement under subsection (c) is practicable beginning with fiscal year 2023.

(2) DURATION.—The pilot program shall be in effect for the fiscal year in which the Secretary commences the pilot program, as described in paragraph (1), and the subsequent two fiscal years. Any construction commenced under the pilot program before the expiration date may continue to completion.

(e) PROGRESS REPORT.—Not later than February 15 of the final fiscal year of the pilot program, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the success of the pilot program in improving the timeliness of the United States Indo-Pacific Command in achieving its military construction priorities. The Secretary shall include in the report—

(1) an evaluation of the likely positive and negative impacts were the pilot program extended or made permanent and, if extended or made permanent, the likely positive and negative impacts of expansion to cover all or additional combatant commands; and

(2) the recommendations of the Secretary regarding whether the pilot program should be extended or made permanent and expanded.

SEC. 2808. BIANNUAL REPORT REGARDING MILITARY INSTALLATIONS SUPPORTED BY DISASTER RELIEF APPROPRIATIONS.

(a) REPORT REQUIRED.—Biannually through September 30, 2025, both the Secretary of the Air Force and the Secretary of the Navy shall submit to the relevant congressional committees a report regarding the obligation and expenditure at military installations under the jurisdiction of the Secretary concerned of appropriations made available to the Secretary concerned in title V of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2020 (division F of Public Law 116–94).

(b) ELEMENTS OF REPORT.—Each report under subsection (a) shall include for the period covered by the report the following elements:

(1) The timeline for award of contracts for each military construction project to be funded with appropriations referred to in subsection (a).

(2) The status, including obligations and expenditures, of each contract already awarded for such military construction projects.

(3) An assessment of the contracting capacity of the communities in the vicinity of such military installations to support such contracts.

(4) The expectations that such local communities will be required to address.

(c) PUBLIC AVAILABILITY OF REPORT.—The information in each report specific to a particular military installation shall be made available online using a public forum commonly used in the locality in which the installation is located.

(d) EARLY TERMINATION.—Notwithstanding the date specified in subsection (a), the Secretary of the Air Force and the Secretary of the Navy may terminate the reporting requirement applicable to the Secretary concerned under such subsection effective on the date on which the Secretary concerned certifies to the relevant congressional committees that at least 90 percent of the appropriations referred to in such subsection and made available to the Secretary concerned have been expended.

(e) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—

(1) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Senate.

Subtitle B—Military Family Housing Reforms

SEC. 2811. EXPENDITURE PRIORITIES IN USING DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND.

(a) IN GENERAL.—Section 2883(d)(1) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following new subparagraph:

''(B) The Secretary of Defense shall require that eligible entities receiving amounts from the Department of Defense Family Housing Improvement Fund prioritize the use of such amounts for expenditures related to operating expenses, debt payments, and asset recapitalization before other program management-incentive fee expenditures.''.

(b) EFFECTIVE DATE.—The requirements set forth in subparagraph (B) of section 2883(d)(1) of title 10, United States Code, as added by subsection (a), shall apply to appropriate legal documents entered into or renewed on or after the date of the enactment of this Act between the Secretary of a military department and a landlord regarding privatized military housing. In this subsection, the terms ''landlord'' and ''privatized military housing'' have the meanings given those terms in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note).

SEC. 2812. PROMULGATION OF GUIDANCE TO FACILITATE RETURN OF MILITARY FAMILIES DISPLACED FROM PRIVATIZED MILITARY HOUSING.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall promulgate guidance for commanders of military installations and installation housing management offices to facilitate and manage the return of tenants who are displaced from privatized military housing—

(1) as a result of an environmental hazard or other damage adversely affecting the habitability of the privatized military housing; or

(2) during remediation or repair activities in response to the hazard or damages.

(b) AVAILABILITY OF REIMBURSEMENT.—As part of the guidance, the Secretary of Defense shall identify situations in which a tenant of privatized military housing should be reimbursed for losses to personal property of the tenant that are not covered by insurance and are incurred by the tenant in the situations described in subsection (a).

(c) CONSULTATION.—The Secretary of Defense shall promulgate the guidance in consultation with the Secretaries of the military departments, the Chief Housing Officer, landlords, and other interested persons.

(d) IMPLEMENTATION.—The Secretaries of the military departments shall be responsible for ensuring the implementation of the guidance at military installations under the jurisdiction of the Secretary concerned.

(e) DEFINITIONS.—In this section, the terms ''landlord'', ''privatized military housing'', and ''tenant'' have the meanings given those terms in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note).

SEC. 2813. PROMULGATION OF GUIDANCE ON MOLD MITIGATION IN PRIVATIZED MILITARY HOUSING.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall establish a working group to promulgate guidance regarding best practices for mold mitigation in privatized military housing and for making the determination regarding when the presence of mold in a unit of home privatized military housing is an emergency situation requiring the relocation of the residents of the unit.

(b) MEMBERS.—The working groups shall include the Surgeon Generals of the Armed Forces and such other subject-matter experts as the Secretary considers appropriate.

SEC. 2814. EXPANSION OF UNIFORM CODE OF BASIC STANDARDS FOR PRIVATIZED MILITARY HOUSING AND HAZARD AND HABITABILITY INSPECTION AND ASSESSMENT REQUIREMENTS TO GOVERNMENT-OWNED AND GOVERNMENT-CONTROLLED MILITARY FAMILY HOUSING.

(a) UNIFORM CODE OF BASIC STANDARDS FOR MILITARY HOUSING.—The Secretary of Defense shall expand the uniform code of basic housing standards for safety, comfort, and habitability for privatized military housing established pursuant to section 3051(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to include Government-owned and Government-controlled military family housing located inside or outside the United States and occupied by members of the Armed Forces.

(b) INSPECTION AND ASSESSMENT PLAN.—The Secretary of Defense shall expand the Department of Defense housing inspection and assessment plan prepared pursuant to section 3051(b) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to include Government-owned and Government-controlled military family housing located inside or outside the United States and occupied by members of the Armed Forces and commence inspections and assessments of such military family housing pursuant to the plan.

SEC. 2815. ESTABLISHMENT OF EXCEPTIONAL FAMILY MEMBER PROGRAM HOUSING LIAISON.

(a) ESTABLISHMENT.—Not later than September 30, 2021, each Secretary of a military department shall appoint at least one Exceptional Family Member Program housing liaison for that military department.

(b) DUTIES.—The duties of a Exceptional Family Member Program housing liaison are to assist military families enrolled in that Program, and who are disproportionally housed in facilities under the Military Housing Privatization Initiative, in obtaining cost-effective services needed by such families.

SEC. 2816. DEPARTMENT OF DEFENSE REPORT ON CRITERIA AND METRICS USED TO EVALUATE PERFORMANCE OF LANDLORDS OF PRIVATIZED MILITARY HOUSING THAT RECEIVE INCENTIVE FEES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

(1) describing the criteria and metrics currently used by the Department of Defense to analyze the performance of landlords that receive incentive fees; and

(2) evaluating the effectiveness of such criteria and metrics in accurately judging the performance of such landlords; and

(3) containing such recommendations as the Secretary considers appropriate to revise such criteria and metrics to better evaluate the performance of such landlords.

(b) PREPARATION OF REPORT.—To prepare the report required by subsection (a), the Secretary of Defense first shall solicit the views of the Secretaries of the military departments.

(c) DEFINITIONS.—In this section, the terms ''incentive fees'' and ''landlord'' have the meanings given those terms in paragraphs (9) and (10) of section 2871 of title 10, United States Code.

SEC. 2817. REPORT ON DEPARTMENT OF DEFENSE EFFORTS REGARDING OVERSIGHT AND ROLE IN MANAGEMENT OF PRIVATIZED MILITARY HOUSING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress made by the Department of Defense in implementing the recommendations contained in the report of the Comptroller General regarding military housing entitled ''DOD Needs to Strengthen Oversight and Clarify Its Role in the Management of Privatized Housing'' and dated March 2020 (GAO-20-281).

Subtitle C—Real Property and Facilities Administration

SEC. 2821. CODIFICATION OF REPORTING REQUIREMENTS REGARDING UNITED STATES OVERSEAS MILITARY ENDURING LOCATIONS AND CONTINGENCY LOCATIONS.

(a) INCLUSION OF INFORMATION IN EXISTING ANNUAL REPORT.—Section 2687a(a) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''MASTER PLANS'' and inserting ''OVERSEAS MILITARY LOCATIONS'';

(2) in paragraph (1), by striking subparagraph (B) and inserting the following new subparagraph:

''(B) overseas military locations, whether such a location is designated as an enduring location or contingency location.''; and

(3) by striking paragraph (2) and inserting the following new paragraphs:

''(2) To satisfy the reporting requirement specified in paragraph (1)(B), a report under paragraph (1) shall contain the following:

''(A) A description of the strategic goal and operational requirements supported by each overseas military location.

''(B) A summary of the terms of agreements for each overseas military location, including—

''(i) the type of implementing agreement;

''(ii) any annual lease or access costs to the United States under the agreement; and

''(iii) any limitation on United States military presence, activities, or operations at the overseas military location.

''(C) A list of all infrastructure investments made at each overseas military location during the previous fiscal year, delineated by project location, project title or description, cost of project, any amount paid by a host nation to cover all or part of the project cost, and authority used to undertake the project.

''(D) A list of all infrastructure requirements for each overseas military location anticipated during the fiscal year in which the report is submitted and the next four fiscal years, delineated as described in subparagraph (C).

''(E) A list of any overseas military locations newly established during the previous fiscal year.

''(F) A description of any plans to transition an existing contingency overseas military location to an enduring overseas military location or to upgrade or downgrade the designation of an existing enduring or contingency overseas military location during the fiscal year in which the report is submitted or the next four fiscal years.

''(G) A list of any overseas military locations that, during the previous fiscal year, were transferred to the control of security forces of the host country or another military force, closed, or for any other reason no longer used by the armed forces, including a summary of any costs associated with the transfer or closure of the overseas military location.

''(H) A summary of the impact that the establishment or maintenance of each overseas military location has on security commitments undertaken by the United States pursuant to any international security treaty or the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

''(I) A summary of any force protection risks identified for each overseas military location, the actions proposed to mitigate such risks, and the resourcing and implementation plan to implement the mitigation actions.

''(J) An assessment of force protection measures by host nations for each overseas military location and recommendations to mitigate any potential risks identified.

''(K) Such other such matters related to overseas military locations as the Secretary of Defense considers appropriate.

''(3)(A) In this subsection, the term 'overseas military location' covers both enduring locations and contingency locations established outside the United States.

''(B) An enduring location is primarily characterized either by the presence of permanently assigned United States forces with robust infrastructure and quality of life amenities to support that presence, by the sustained presence of allocated United States forces with infrastructure and quality of life amenities consistent with that presence, or by the periodic presence of allocated U.S. forces with little or no permanent United States military presence or controlled infrastructure. Enduring locations include main operating bases, forward operating sites, and cooperative security locations.

''(C) A contingency location refers to a location outside of the United States that is not covered by subparagraph (B), but that is used by United States forces to support and sustain operations during named and unnamed contingency operations or other operations as directed by appropriate authority and is categorized by mission life-cycle requirements as initial, temporary, or semi-permanent.

''(4) The Secretary of Defense shall prepare the report under paragraph (1) in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition and Sustainment.

''(5) A report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex as necessary.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 2687a(e)(2) of title 10, United States Code, is amended by striking ''host nation'' both places it appears and inserting ''host country''.

(2) SECTION HEADING.—The heading of section 2687a of title 10, United States Code, is amended to read as follows:

''§ 2687a. Overseas base closures and realignments and status of United States overseas military locations''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 159 of title 10, United States Code, is amended by striking the item relating to section 2687a and inserting the following new item:

''2687a. Overseas base closures and realignments and status of United States overseas military locations.''.

(c) REPEAL OF SUPERCEDED REPORTING REQUIREMENT.—Section 2816 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1176) is repealed.

SEC. 2822. LIMITATIONS ON RENEWAL OF UTILITY PRIVATIZATION CONTRACTS.

(a) CONTRACT RENEWAL AUTHORITY.—Section 2688(d)(2) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(2)''; and

(2) by inserting after the first sentence the following new subparagraph:

''(B) A longer-term contract entered into under the authority of subparagraph (A) may be renewed in the manner provided in such subparagraph, except that such a contract renewal may only be awarded during the final five years of the existing contract term.''.

(b) CONFORMING AMENDMENTS.—Section 2688(d)(2) of title 10, United States Code, is further amended—

(1) by striking ''The determination of cost effectiveness'' and inserting the following:

''(C) A determination of cost effectiveness under this paragraph''; and

(2) by striking ''the contract'' and inserting ''the contract or contract renewal''.

SEC. 2823. VESTING EXERCISE OF DISCRETION WITH SERVICE SECRETARIES REGARDING ENTERING INTO LONGER-TERM CONTRACTS FOR UTILITY SERVICES.

Section 2688(d)(2) of title 10, United States Code, as amended by section 2822, is further amended—

(1) by striking ''The Secretary of Defense, or the designee of the Secretary,'' and inserting ''The Secretary concerned''; and

(2) by striking ''if the Secretary'' and inserting ''if the Secretary concerned''.

SEC. 2824. USE OF ON-SITE ENERGY PRODUCTION TO PROMOTE MILITARY INSTALLATION ENERGY RESILIENCE AND ENERGY SECURITY.

(a) PROMOTION OF ON-SITE ENERGY SECURITY AND ENERGY RESILIENCE.—Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) PROMOTION OF ON-SITE ENERGY SECURITY AND ENERGY RESILIENCE.—(1) Consistent with the energy security and resilience goals of the Department of Defense and the energy performance master plan referred to in this section, the Secretary concerned shall consider, when feasible, projects for the production of installation energy that benefits military readiness and promotes installation energy security and energy resilience in the following manner:

''(A) Location of the energy-production infrastructure on the military installation that will consume the energy.

''(B) Incorporation of energy resilience features, such as microgrids, to ensure that energy remains available to the installation even when the installation is not connected to energy sources located off the installation.

''(C) Reduction in periodic refueling needs from sources off the installation to not more than once every two years.

''(3) In this subsection, the term 'microgrid' means an integrated energy system consisting of interconnected loads and energy resources that, if necessary, can be removed from the local utility grid and function as an integrated, standalone system.''.

(b) EVALUATION OF FEASIBILITY OF EXPANDING USE OF ON-SITE ENERGY PRODUCTION.—

(1) PROJECTS AUTHORIZED.—Subsection (h) of section 2911 of title 10, United States Code, as added by subsection (a), is amended by inserting after paragraph (1) the following new paragraph:

''(2)(A) Using amounts made available for military construction projects under section 2914 of this title, the Secretary of Defense shall carry out at least four projects to promote installation energy security and energy resilience in the manner described in paragraph (1).

''(B) At least one project shall be designed to develop technology that demonstrates the ability to connect an existing on-site energy generation facility that uses solar power with one or more installation facilities performing critical missions in a manner that allows the generation facility to continue to provide electrical power to these facilities even if the installation is disconnected from the commercial power supply.

''(C) At least one project shall be designed to develop technology that demonstrates that one or more installation facilities performing critical missions can be isolated, for purposes of electrical power supply, from the remainder of the installation and from the commercial power supply in a manner that allows an on-site energy generation facility that uses a renewable energy source, other than solar energy, to provide the necessary power exclusively to these facilities.

''(D) At least two projects shall be designed to develop technology that demonstrates the ability to store sufficient electrical energy from an on-site energy generation facility that uses a renewable energy source to provide the electrical energy required to continue operation of installation facilities performing critical missions during nighttime operations.

''(E) The Secretary of Defense may not select as the site of a project under this paragraph a military installation that already has the ability to satisfy any of the project requirements described in subparagraphs (B), (C), or (D).

''(F) The authority of the Secretary of Defense to commence a project under this paragraph expires on September 30, 2025.''.

(2) BRIEFING.—Not later than March 1, 2021, the Secretary of Defense shall brief the congressional defense committees regarding the plan to carry out the on-site energy production projects authorized by paragraph (2) of section 2911 of title 10, United States Code, as added by paragraph (1).

SEC. 2825. AVAILABILITY OF ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM FUNDS FOR CERTAIN ACTIVITIES RELATED TO PRIVATIZED UTILITY SYSTEMS.

Section 2914(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary of Defense''; and

(2) by adding at the end the following new paragraph:

''(2) For purposes of this section, a military construction project is deemed to include activities related to utility systems authorized under subsections (h), (j), and (k) of section 2688 or section 2913 of this title, notwithstanding that the United States does not own the utility system, and energy-related activities included as a separate requirement in an energy savings performance contract (as defined in section 804(3) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(3))).''.

SEC. 2826. IMPROVING WATER MANAGEMENT AND SECURITY ON MILITARY INSTALLATIONS.

(a) RISK-BASED APPROACH TO INSTALLATION WATER MANAGEMENT AND SECURITY.—

(1) GENERAL REQUIREMENT.—The Secretary concerned shall adopt a risk-based approach to water management and security for each military installation under the jurisdiction of the Secretary.

(2) IMPLEMENTATION PRIORITIES.—The Secretary concerned shall begin implementation of paragraph (1) by prioritizing those military installations under the jurisdiction of the Secretary that the Secretary determines—

(A) are experiencing the greatest risks to sustainable water management and security; and

(B) face the most severe existing or potential adverse impacts to mission assurance as a result of such risks.

(3) DETERMINATION METHOD.—Determinations under paragraph (2) shall be made on the basis of the water management and security assessments made by the Secretary concerned under subsection (b).

(b) WATER MANAGEMENT AND SECURITY ASSESSMENTS.—

(1) ASSESSMENT METHODOLOGY.—The Secretaries concerned, acting jointly, shall develop a methodology to assess risks to sustainable water management and security and mission assurance.

(2) ELEMENTS.—Required elements of the assessment methodology shall include the following:

(A) An evaluation of the water sources and supply connections for a military installation, including water flow rate and extent of competition for the water sources.

(B) An evaluation of the age, condition, and jurisdictional control of water infrastructure serving the military installation.

(C) An evaluation of the military installation's water-security risks related to drought-prone climates, impacts of defense water usage on regional water demands, water quality, and legal issues, such as water rights disputes.

(D) An evaluation of the resiliency of the military installation's water supply and the overall health of the aquifer basin of which the water supply is a part, including the robustness of the resource, redundancy, and ability to recover from disruption.

(E) An evaluation of existing water metering and consumption at the military installation, considered at a minimum—

(i) by type of installation activity, such as training, maintenance, medical, housing, and grounds maintenance and landscaping; and

(ii) by fluctuations in consumption, including peak consumption by quarter.

(c) EVALUATION OF INSTALLATIONS FOR POTENTIAL NET ZERO WATER USAGE.—

(1) EVALUATION REQUIRED.—The Secretary concerned shall conduct an evaluation of each military installation under the jurisdiction of the Secretary to determine the potential for the military installation, or at a minimum certain installation activities, to achieve net zero water usage.

(2) ELEMENTS.—Required elements of each evaluation shall include the following:

(A) An evaluation of alternative water sources to offset use of freshwater, including water recycling and harvested rainwater for use as nonpotable water.

(B) An evaluation of the practicality of implementing Department of Energy guidelines for net zero water usage, when practicable to minimize water consumption and wastewater discharge in buildings scheduled for renovation.

(C) An evaluation of the practicality of implementing net zero water usage technology into new construction in water-constrained areas, as determined by water management and security assessments conducted under subsection (b).

(d) IMPROVED LANDSCAPING MANAGEMENT PRACTICES.—

(1) LANDSCAPING MANAGEMENT.—The Secretary concerned shall implement, to the maximum extent practicable, at each military installation under the jurisdiction of the Secretary landscaping management practices to increase water resilience and ensure greater quantities of water availability for operational, training, and maintenance requirements.

(2) ARID OR SEMI-ARID CLIMATES.—For military installations located in arid or semi-arid climates, landscaping management practices shall include the use of xeriscaping.

(3) NON-ARID CLIMATES.—For military installations located in arid or non-arid climates, landscaping management practices shall include the use of plants common to the region in which the installation is located and native grasses and plants.

(4) POLLINATOR CONSERVATION REFERENCE GUIDE.—The Secretary concerned shall follow the recommendations of the Department of Defense Pollinator Conservation Reference Guide (September 2018) to the maximum extent practicable in order to reduce operation and maintenance costs related to landscaping management, while improving area management. Consistent with such guide, in the preparation of a military installation landscaping plan, the Secretary concerned should consider the following:

(A) Adding native flowering plants to sunny open areas and removing overhanging tree limbs above open patches within forested areas or dense shrub.

(B) Removing or controlling invasive plants to improve pollinator habitat.

(C) Preserving known and potential pollinator nesting and overwintering sites.

(D) Eliminating or minimizing pesticide use in pollinator habitat areas.

(E) Mowing in late fall or winter after plants have bloomed and set seed, adjusting timing to avoid vulnerable life stages of special status pollinators.

(F) Mowing mid-day when adult pollinators can avoid mowing equipment.

(e) IMPLEMENTATION REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the other Secretaries concerned, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress made in implementing this section.

(2) REPORT ELEMENTS.—The report shall include the following:

(A) The methodology developed under subsection (b) to conduct water management and security assessments.

(B) A list of the military installations that have been assessed using such methodology and a description of the findings.

(C) A list of planned assessments for the one-year period beginning on the date of the submission of the report.

(D) An evaluation of the progress made on implementation of xeriscaping and other regionally appropriate landscaping practices at military installations.

(f) DEFINITIONS.—In this section:

(1) The term ''net zero water usage'', with respect to a military installation or installation activity, means a situation in which the combination of limitations on the consumption of water resources and the return of water to an original water source by the installation or activity is sufficient to prevent any reduction in the water resources of the area in both quantity and quality over a reasonable period of time.

(2) The terms ''Secretary concerned'' and ''Secretary'' mean the Secretary of a military department and the Secretary of Defense with respect to the Pentagon Reservation.

(3) The term ''xeriscaping'' means landscape design that emphasizes low water use and drought-tolerant plants that require little or no supplemental irrigation.

SEC. 2827. PILOT PROGRAM TO TEST USE OF EMERGENCY DIESEL GENERATORS IN A MICROGRID CONFIGURATION AT CERTAIN MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a pilot program (to be known as the Emergency Diesel Generator Microgrid Program) to evaluate the feasibility and cost effectiveness of connecting existing diesel generators at a military installation selected pursuant to subsection (c) to create and support one or more microgrid configurations at the installation capable of providing full-scale electrical power for the defense critical facilities located at the installation during an emergency involving the loss of external electric power supply caused by an extreme weather condition, manmade intentional infrastructure damage, or other circumstances.

(b) GOAL OF PILOT PROGRAM.—The goals of the Emergency Diesel Generator Microgrid Program are—

(1) to test assumptions about lower operating and maintenance costs, parts interchangeability, lower emissions, lower fuel usage, increased resiliency, increased reliability, and reduced need for emergency diesel generators; and

(2) to establish design criteria that could be used to build and sustain emergency diesel generator microgrids at other military installations.

(c) PILOT PROGRAM LOCATIONS.—As the locations to conduct the Emergency Diesel Generator Microgrid Program, the Secretary of Defense shall select two major military installations located in different geographical regions of the United States that the Secretary determines—

(1) are defense critical electric infrastructure sites or contain, or are served by, defense critical electric infrastructure;

(2) contain more than one defense critical function for national defense purposes and the mission assurance of such critical defense facilities are paramount to maintaining national defense and force projection capabilities at all times; and

(3) face unique electric energy supply, delivery, and distribution challenges that, based on the geographic location of the installations and the overall physical size of the installations, adversely impact rapid electric infrastructure restoration after an interruption.

(d) SPECIFICATIONS OF DIESEL GENERATORS AND MICROGRID.—

(1) GENERATOR SPECIFICATIONS.—The Secretary of Defense shall use existing diesel generators that are sized >/= 750kW output.

(2) MICROGRID SPECIFICATIONS.—The Secretary of Defense shall create the microgrid using commercially available and proven designs and technologies. The existing diesel generators used for the microgrid should be spaced within 1.0 to 1.5 mile of each other and, using a dedicated underground electric cable network, be tied into a microgrid configuration sufficient to supply mission critical facilities within the service area of the microgrid. A selected military installation may contain more than one such microgrid under the Emergency Diesel Generator Microgrid Program.

(e) PROGRAM AUTHORITIES.—The Secretary of Defense may use the authority under section 2914 of title 10, United States Code (known as the Energy Resilience and Conservation Investment Program) and energy savings performance contracts to conduct the Emergency Diesel Generator Microgrid Program.

(f) DEFINITIONS.—For purposes of the Emergency Diesel Generator Microgrid Program:

(1) The term ''defense critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act (16 U.S.C. 824o–1).

(2) The term ''energy savings performance contract'' has the meaning given that term in section 804(3) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(3)).

(3) The term ''existing diesel generators'' means diesel generators located, as of the date of the enactment of this Act, at a major military installation selected as a location for the Emergency Diesel Generator Microgrid Program and intended for emergency use.

(4) The term ''major military installation'' has the meaning given that term in section 2864 of title 10, United States Code.

SEC. 2828. IMPROVED ELECTRICAL METERING OF DEPARTMENT OF DEFENSE INFRASTRUCTURE SUPPORTING CRITICAL MISSIONS.

(a) OPTIONS TO IMPROVE ELECTRICAL METERING.—The Secretary of Defense and the Secretaries of the military departments shall improve the metering of electrical energy usage of covered defense structures to accurately determine energy consumption by such a structure to increase energy efficiency and improve energy resilience, using any combination of the options specified in subsection (b) or such other methods as the Secretary concerned considers practicable.

(b) METERING OPTIONS.—Electrical energy usage options to be considered for a covered defense structure include the following:

(1) Installation of a smart meter at the electric power supply cable entry point of the covered defense structure, with remote data storage and retrieval capability using cellular communication, to provide historical energy usage data on an hourly basis to accurately determine the optimum cost effective energy efficiency and energy resilience measures for the covered defense structure.

(2) Use of an energy usage audit firm to individually meter the covered defense structure using clamp-on meters and data storage to provide year–long electric energy load profile data, particularly in the case of a covered defense structure located in climates with highly variable use based on weather or temperature changes to accurately identify electric energy usage demand for both peak and off peak periods for a covered defense structure.

(3) Manual collection and calculation of the connected load via nameplate data survey of all the connected electrical devices for the covered defense structure and comparing it to the designed maximum rating of the incoming electric supply to determine the maximum electrical load for the covered defense structure.

(c) CONSIDERATION OF PARTNERSHIPS.—The Secretary of Defense and the Secretaries of the military departments shall consider the use of arrangements (known as public-private partnerships) with appropriate entities outside the Government to reduce the cost of carrying out this section.

(d) DEFINITIONS.—In this section:

(1) The term ''covered defense structure'' means any infrastructure under the jurisdiction of the Department of Defense inside the United States that the Secretary of Defense or the Secretary of the military department concerned determines—

(A) is used to support a critical mission of the Department; and

(B) is located at a military installation with base-wide resilient power.

(2) The term ''energy resilience'' has the meaning given that term in section 101(e)(6) of title 10, United States Code.

(e) IMPLEMENTATION REPORT.—As part of the Department of Defense energy management report to be submitted under section 2925 of title 10, United States Code, during fiscal year 2022, the Secretary of Defense shall include information on the progress being made to comply with the requirements of this section.

SEC. 2829. RENAMING CERTAIN MILITARY INSTALLATIONS AND OTHER DEFENSE PROPERTY.

(a) DEFINITIONS.—In this section:

(1) The term ''advisory panel'' means an advisory panel established by the Secretary concerned to assist the Secretary concerned in the renaming process required by this section.

(2) The term ''covered defense property'' means any real property, including any building, structure, or other improvement to real property thereon, under the jurisdiction of the Secretary concerned that is named after any person who served in the political or military leadership of any armed rebellion against the United States.

(3) The term ''covered military installation'' means a military installation or reserve component facility that is named after any person who served in the political or military leadership of any armed rebellion against the United States.

(4) The term ''identification report'' means the initial report required by subsection (c) that identifies covered military installations and covered defense property.

(5) The term ''military installation'' has the meaning given that term in section 2801(c) of title 10, United States Code.

(6) The term ''other improvement'' includes any library, classroom, parade ground or athletic field, training range, roadway, or similar physical feature.

(7) The term ''process report'' means the report required by subsection (d) that describes the renaming process to be used by the Secretary concerned.

(8) The term ''renaming report'' means the final report required by subsection (f) that provides new names for covered military installations and covered defense property.

(9) The term ''reserve component facility'' has the meaning given the term ''facility'' in section 18232 of title 10, United States Code, and covers those facilities for which title is vested in the United States or for which the Secretary of Defense contributed funds under section 18233(a) of such title or former section 2233 of such title.

(10) The term ''Secretary concerned'' means the Secretary of a military department and includes the Secretary of Defense with respect to matters concerning the Defense Agencies.

(b) RENAMING REQUIRED; DEADLINE.—Not later than one year after the date of the enactment of this Act, the Secretary concerned shall—

(1) complete the renaming process required by this section; and

(2) commence the renaming of each covered military installation and covered defense property identified in the renaming report pursuant to the guidance issued by the Secretary concerned under subsection (f).

(c) IDENTIFICATION REPORT; DEADLINE.—Not later than 60 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report that identifies each covered military installation and all covered defense property under the jurisdiction of the Secretary concerned that the Secretary concerned determines satisfies the definitions given those terms in subsection (a).

(d) PROCESS REPORT; DEADLINE.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report describing the process by which the Secretary concerned will rename each covered military installation and covered defense property identified in the renaming report prepared by the Secretary concerned.

(2) REPORT ELEMENTS.—At minimum, the process report shall contain the following elements:

(A) A detailed description of the process to be used by the Secretary concerned to develop a list of potential names for renaming covered military installations and covered defense property.

(B) An explanation regarding whether or not the Secretary concerned established, or will establish, an advisory panel to support the review process and make recommendations to the Secretary concerned. If the Secretary concerned has established, or will establish, an advisory

panel, the report shall include the names and positions of the individuals who will serve on the advisory panel that represent:

(i) Military leadership from covered military installations.

(ii) Military leadership from military installations containing covered defense property..

(iii) State leaders and leaders of the locality in which a covered military installation or covered defense property is located.

(iv) Representatives from military museums, military historians, or relevant historians from the impacted States and localities with relevant expertise.

(v) Community civil rights leaders.

(C) The criteria the Secretary concerned will use to inform the renaming process.

(D) A description of the process for accepting and considering public comments from members of the Armed Forces, veterans, and members of the local community on potential names for renaming covered military installations and covered defense property.

(E) A timeline for the renaming process consistent with the deadline specified in subsection (b).

(e) CONGRESSIONAL GUIDANCE ON RENAMING CRITERIA.—

(1) PREFERENCES.—As part of the renaming process established by the Secretary concerned and described in the process report required by subsection (c), the Secretary concerned shall give a preference for renaming covered military installations and covered defense property after either—

(A) a battlefield victory by the Armed Forces consistent with current Department of Defense naming conventions; or

(B) a deceased member of the Armed Forces who satisfies one of more of the following:

(i) Was a recipient of the Congressional Medal of Honor.

(ii) Was recognized for heroism in combat or for other significant contributions to the United States.

(iii) Was a member of a minority group who overcame prejudice and adversity to perform distinguished military service.

(iv) Has links to the community or State where the military installation or covered property is located.

(v) Served at the covered military installation, in a unit of the Armed Forces based at the covered installation; or at the military installation containing the covered defense property.

(2) OTHER CONSIDERATIONS.—

(A) JUNIOR SERVICEMEMBERS.—Junior members of the Armed Forces should be favored in the renaming process over general officers or flag officers.

(B) BRANCH CONSIDERATION.—A deceased member of the Armed Forces whose name is selected in the renaming process should have served in the same Armed Force as the majority of the members of the Armed Forces stationed at the covered military installation renamed in honor of the deceased member or at which the renamed covered defense property is located.

(C) CONFLICT CONSIDERATION.—The names selected in the renaming process should recognize and reflect significant battles or contingency operations since 1917 or the contributions of members of the Armed Forces who served in wars and contingency operations since 1917.

(D) PERSONAL CONDUCT.—A deceased member of the Armed Forces whose name is selected in the renaming process should be a person whose personal conduct reflects the current values of the Armed Forces and its members.

(f) RENAMING REPORT; DEADLINE.—

(1) REPORT REQUIRED.—Upon completing the renaming process identified in the process report, but not later than 30 days before the deadline specified in subsection (b), each Secretary concerned shall submit to the congressional defense committees a final report containing the list of the new names chosen for each covered military installation and covered defense property identified in the identification report prepared by the Secretary concerned.

(2) REPORT ELEMENTS.—At minimum, the renaming report shall contain an explanation of the reasons for the selection of each new name chosen for covered military installations and covered defense property.

(3) PUBLIC AVAILABILITY.—The Secretary concerned shall make the renaming report publicly available as soon as practicable after submission of the renaming report.

(3) GUIDANCE FOR ACTUAL RENAMING.—Not later than 30 days after submission of the renaming report, the Secretary concerned shall issue guidance to promptly affect the name changes contained in the renaming report.

(g) SAVINGS CLAUSE.—Nothing in this section or the renaming process required by this section shall be construed to have any effect on grave markers or cemeteries that may exist on real property under the jurisdiction of the Department of Defense.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Arizona Department of Emergency and Military Affairs (in this section referred to as the ''State'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of not more than 3,000 acres at Camp Navajo, Arizona, for the purpose of permitting the State to use the property—

(1) for training the Arizona Army National Guard and Air National Guard; and

(2) for defense industrial base economic development purposes that are compatible with the environmental security and primary National Guard training purpose of Camp Navajo.

(b) CONDITION OF CONVEYANCE.—

(1) USE OF REVENUES.—The authority of the Secretary of the Army to make the conveyance described in subsection (a) is subject to the condition that the State agree that all revenues generated from the use of the property conveyed under such subsection will be used to support the training requirements of the Arizona Army National Guard and Air National Guard, including necessary infrastructure maintenance and capital improvements.

(2) AUDIT.—The United States Property and Fiscal Office for Arizona shall—

(A) conduct periodic audits of all revenues generated by uses of the conveyed property and the use of such revenues; and

(B) provide the audit results to the Chief of the National Guard Bureau.

(c) REVERSIONARY INTEREST.—

(1) INTEREST RETAINED.—If the Secretary of the Army determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, or that the State has not complied with the condition imposed by subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the Property.

(2) DETERMINATION.—A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) ALTERNATIVE CONSIDERATION OPTION.—

(1) CONSIDERATION OPTION.—In lieu of exercising the reversionary interest retained under subsection (c), the Secretary of the Army may accept an offer by the State to pay to the United States an amount equal to the fair market value of the property conveyed under subsection (a), excluding the value of any improvements on the conveyed property constructed without Federal funds after the date of the conveyance is completed, as determined by the Secretary.

(2) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received by the Secretary under paragraph (1) shall be deposited in the special account in the Treasury established for the Secretary under subsection (e) of section 2667 of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the fund or account currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(g) SAVINGS PROVISION.—Nothing in this section shall be construed to alleviate, alter, or affect the responsibility of the United States for cleanup and remediation of the property to be conveyed under subsection (a) in accordance with the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States. These additional terms may include a requirement for the State to consult with the Secretary of the Navy regarding use of the conveyed property.

SEC. 2832. MODIFICATION OF LAND EXCHANGE INVOLVING NAVAL INDUSTRIAL RESERVE ORDNANCE PLANT, SUNNYVALE, CALIFORNIA.

(a) ELEMENTS OF EXCHANGE.—Section 2841(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860) is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) real property, including improvements thereon, located in Titusville, Florida, that will replace the NIROP and meet the readiness requirements of the Department of the Navy, as determined by the Secretary; and

''(2) reimbursement for the costs of relocation of contractor and Government personnel and equipment from the NIROP to the replacement facilities, to the extent specified in the land exchange agreement contemplated in subsection (b).''.

(b) ELEMENTS OF LAND EXCHANGE AGREEMENT.—Section 2841(b)(1) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860)

is amended by inserting after ''identifies'' the following: ''the costs of relocation to be reimbursed by the Exchange Entity,''.

(c) VALUATION OF PROPERTIES AND COMPENSATION.—Section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860) is amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(3) by inserting after subsection (b) the following new subsections:

''(c) VALUATION.—The Secretary shall determine the fair market value of the properties, including improvements thereon, to be exchanged by the Secretary and the Exchange Entity under subsection (a).

''(d) COMPENSATION.—

''(1) COMPENSATION REQUIRED.—The Exchange Entity shall provide compensation under the land exchange agreement described in subsection (b) that is equal to or exceeds the fair market value of the NIROP, as determined under subsection (c).

''(2) IN-KIND CONSIDERATION.—As part of the compensation under the land exchange agreement, the Secretary and the Exchange Entity may agree for the Exchange Entity to provide the following forms of in-kind consideration at any property or facility under the control of the Secretary:

''(A) Alteration, repair, improvement, or restoration (including environmental restoration) of property.

''(B) Use of facilities by the Secretary.

''(C) Provision of real property maintenance services.

''(D) Provision of or payment of utility services.

''(E) Provision of such other services relating to activities that will occur on the property as the Secretary considers appropriate.

''(3) DEPOSIT.—The Secretary shall deposit any cash payments received under the land exchange agreement, other than cash payments accepted under section 2695 of title 10, United States Code, in the account in the Treasury established pursuant to section 572(b) of title 40, United States Code.

''(4) USE OF PROCEEDS.—Proceeds deposited pursuant to paragraph (3) in the account referred to in such paragraph shall be available to the Secretary in such amounts as provided in appropriations Acts for the following activities:

''(A) Maintenance, protection, alternation, repair, improvement, or restoration (including environmental restoration) of property or facilities.

''(B) Payment of utilities services.

''(C) Real property maintenance services.''.

(d) TREATMENT OF CERTAIN AMOUNTS RECEIVED.—Subsection (f) of section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1861), as redesignated by subsection (c)(2) of this section, is amended by striking ''(a), (c)(2), and (d)''and inserting ''(a) and (e)''.

(e) SUNSET.—Subsection (j) of section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1861), as redesignated by subsection (c)(2) of this section, is amended by striking ''October 1, 2023'' and inserting ''October 1, 2026, if the Secretary and the Exchange Entity have not entered into a land exchange agreement described in subsection (b) before that date''.

SEC. 2833. LAND CONVEYANCE, SHARPE ARMY DEPOT, LATHROP, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—If the Secretary of the Army determines that no department or agency of the Federal Government will accept the transfer of a parcel of real property consisting of approximately 525 acres at Sharpe Army Depot in Lathrop, California, the Secretary may convey to the Port of Stockton, California, all right, title, and interest of the United States in and to the property, including any improvements thereon, for the purpose of permitting the Port of Stockton to use the property for the development or operation of a port facility.

(b) MODIFICATION OF PARCEL AUTHORIZED FOR CONVEYANCE.—If a department or agency of the Federal Government will accept the transfer of a portion of the parcel of real property described in subsection (a), the Secretary shall modify the conveyance authorized by such subsection to exclude the portion of the parcel to be accepted by that department or agency.

(c) CONSIDERATION.—

(1) PUBLIC BENEFIT CONVEYANCE.—The Secretary of the Army may assign the property for conveyance under subsection (a) as a public benefit conveyance without monetary consideration to the Federal Government if the Port of Stockton satisfies the conveyance requirements specified in section 554 of title 40, United States Code.

(2) FAIR MARKET VALUE.—If the Port of Stockton fails to qualify for a public benefit conveyance under paragraph (1) and still desires to acquire the real property described in subsection (a), the Port of Stockton shall pay to the United States an amount equal to the fair market value of the property to be conveyed. The Secretary shall determine the fair market value of the property using an independent appraisal based on the highest and best use of the property.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army. The cost of the survey shall be borne by the Port of Stockton.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) SUNSET.—If the real property authorized for conveyance by subsection (a) is not conveyed within one year after the date of the enactment of this Act, the Secretary of the Army may report the property excess for disposal in accordance with existing law.

SEC. 2834. LAND EXCHANGE, SAN BERNARDINO COUNTY, CALIFORNIA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means the County of San Bernardino, California.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 73 acres of Federal land generally depicted as ''Federal Land Proposed for Exchange'' on the map titled ''Big Bear Land Exchange'' and dated August 6, 2018.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 71 acres of land owned by the County generally depicted as ''Non-Federal Land Proposed for Exchange'' on the map referred to in paragraph (2).

(b) EXCHANGE AUTHORIZED.—Subject to valid existing rights and the terms of this section, no later than one year after the date that the portion of the Pacific Crest National Scenic Trail is relocated in accordance with subsection (i), if the County offers to convey the non-Federal land to the United States, the Secretary of Agriculture shall—

(1) convey to the County all right, title, and interest of the United States in and to the Federal land; and

(2) accept from the County a conveyance of all right, title, and interest of the County in and to the non-Federal land.

(c) EQUAL VALUE AND CASH EQUALIZATION.—

(1) EQUAL VALUE EXCHANGE.—The land exchange under this section shall be for equal value, or the values shall be equalized by a cash payment as provided for under this subsection or an adjustment in acreage. At the option of the County, any excess value of the non-Federal lands may be considered a gift to the United States.

(2) CASH EQUALIZATION PAYMENT.—The County may equalize the values of the lands to be exchanged under this section by cash payment without regard to any statutory limit on the amount of such a cash equalization payment.

(3) DEPOSIT AND USE OF FUNDS RECEIVED FROM COUNTY.—Any cash equalization payment received by the Secretary of Agriculture under this subsection shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act). The funds so deposited shall remain available to the Secretary of Agriculture, until expended, for the acquisition of lands, waters, and interests in land for the San Bernardino National Forest.

(d) APPRAISAL.—The Secretary of Agriculture shall complete an appraisal of the land to be exchanged under this section in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(2) the Uniform Standards of Professional Appraisal Practice.

(e) TITLE APPROVAL.—Title to the land to be exchanged under this section shall be in a format acceptable to the Secretary of Agriculture and the County.

(f) SURVEY OF NON-FEDERAL LANDS.—Before completing the exchange under this section, the Secretary of Agriculture shall inspect the non-Federal lands to ensure that the land meets Federal standards, including hazardous materials and land line surveys.

(g) COSTS OF CONVEYANCE.—As a condition of the conveyance of the Federal land under this section, any costs related to the exchange under this section shall be paid by the County.

(h) MANAGEMENT OF ACQUIRED LANDS.—The Secretary of Agriculture shall manage the non-Federal land acquired under this section in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq.; commonly known as the Weeks Act), and other laws and regulations pertaining to National Forest System lands.

(i) PACIFIC CREST NATIONAL SCENIC TRAIL RELOCATION.—No later than three years after the date of enactment of this Act, the Secretary of Agriculture, in accordance with applicable laws, shall relocate the portion of the Pacific Crest National Scenic Trail located on the Federal land—

(1) to adjacent National Forest System land;

(2) to land owned by the County, subject to County approval;

(3) to land within the Federal land, subject to County approval; or

(4) in a manner that combines two or more of the options described in paragraphs (1), (2), and (3).

(j) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall finalize a map and legal descriptions of all land to be conveyed under this section. The Secretary may correct any minor errors in the map or in the legal descriptions. The map and legal descriptions shall be on file and available for public inspection in appropriate offices of the Forest Service.

SEC. 2835. LAND CONVEYANCE, OVER-THE-HORIZON BACKSCATTER RADAR SYSTEM RECEIVING STATION, MODOC COUNTY, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—As soon as practicable after receiving a request from Modoc County, California (in this section referred to as the ''County'') regarding the conveyance required by this section, but subject to paragraph (2), the Secretary of Agriculture shall convey to the County all right, title, and interest of the United States in and to a parcel of National Forest System land, including improvements thereon, consisting of approximately 927 acres in Modoc National Forest in the State of California and containing an obsolete Over-the-Horizon Backscatter Radar System receiving station established on the parcel pursuant to a memorandum of agreement between the Department

of the Air Force and Forest Service dated May 18 and 23, 1987.

(2) APPLICABLE LAW AND NATIONAL SECURITY DETERMINATION.—The Secretary of Agriculture shall carry out the conveyance under subsection (a) in accordance with this section and all other applicable law, including the condition that the conveyance not take place until the Secretary, in consultation with the Secretary of the Air Force, determines that the conveyance will not harm the national security interests of the United States.

(b) PURPOSE OF CONVEYANCE.—The purpose of the conveyance under subsection (a) is to preserve and utilize the improvements constructed on the parcel of National Forest System land described in such subsection and to permit the County to use the conveyed property, including improvements thereon, for the development of renewable energy, including solar and biomass cogeneration.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the County shall pay to the Secretary of Agriculture an amount that is not less than the fair market value of the parcel of land to be conveyed, as determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary shall deposit the payment received under paragraph (1) in the account in the Treasury established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The amount deposited shall be available to the Secretary, in such amounts as may be provided in advance in appropriation Acts, to pay any necessary and incidental costs incurred by the Secretary in connection with the improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System located in the State of California.

(d) RESERVATION OF EASEMENT RELATED TO CONTINUED USE OF WATER WELLS.—The conveyance required by subsection (a) shall be conditioned on the reservation of an easement by the Secretary of Agriculture, subject to such terms and conditions as the Secretary deems appropriate, necessary to provide access for use authorized by the Secretary of the four water wells in existence on the date of the enactment of this Act and associated water conveyance infrastructure on the parcel of National Forest System lands to be conveyed.

(e) WITHDRAWAL.—The National Forest System land described in subsection (a) is withdrawn from the operation of the mining and mineral leasing laws of the United States.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of Agriculture shall require the County to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary of Agriculture in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—To expedite the conveyance of the parcel of National Forest System land described in subsection (a), including improvements thereon, environmental remediation of the land by the Department of the Air Force shall be limited to the removal of the perimeter wooden fence, which was treated with an arsenic-based weatherproof coating, and treatment of soil affected by leaching of such chemical.

(2) POTENTIAL FUTURE ENVIRONMENTAL REMEDIATION RESPONSIBILITIES.—Notwithstanding the conveyance of the parcel of National Forest System land described in subsection (a), the Secretary of the Air Force shall be responsible for the remediation of any environmental contamination, discovered post-conveyance, that is attributed to Air Force occupancy of and operations on the parcel pre-conveyance.

(h) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Notwithstanding the requirements of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary of Agriculture shall not be required to provide any of the covenants and warranties otherwise required under such section in connection with the conveyance of the property under subsection (a).

(i) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of Agriculture.

SEC. 2836. TRANSFER OF ADMINISTRATIVE JURISDICTION, NAVAL SUPPORT ACTIVITY PANAMA CITY, FLORIDA, PARCEL.

(a) TRANSFER TO THE SECRETARY OF THE NAVY.—Administrative jurisdiction over the parcel of Federal land consisting of approximately 1.23 acres located within Naval Support Activity Panama City, Florida, and used by the Department of the Navy pursuant to Executive Order 10355 of May 26, 1952, and Public Land Order Number 952 of April 6, 1954, is transferred from the Secretary of the Interior to the Secretary of the Navy.

(b) LAND SURVEY.—The exact acreage and legal description of the Federal land transferred by subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy and the Secretary of the Interior.

(c) CONSIDERATION AND REIMBURSEMENT.—

(1) NO CONSIDERATION.—The transfer made by subsection (a) shall be without consideration.

(2) REIMBURSEMENT.—The Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior under subsection (b) in conducting the survey and preparing the legal description of the Federal land transferred by subsection (a).

(d) STATUS OF LAND AFTER TRANSFER.—Upon transfer of the Federal land by subsection (a), the land shall cease to be public land and shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the Navy.

Subtitle E—Military Land Withdrawals

SEC. 2841. RENEWAL OF LAND WITHDRAWAL AND RESERVATION TO BENEFIT NAVAL AIR FACILITY, EL CENTRO, CALIFORNIA.

Section 2925 of the El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2816) is amended by striking ''25 years after the date of the enactment of this subtitle'' and inserting ''on November 6, 2046''.

SEC. 2842. RENEWAL OF FALLON RANGE TRAINING COMPLEX LAND WITHDRAWAL AND RESERVATION.

Notwithstanding section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892), the withdrawal and reservation of lands (known as the Fallon Range Training Complex) made by section 3011(a) of such Act (113 Stat. 885) shall terminate on November 6, 2046.

SEC. 2843. RENEWAL OF NEVADA TEST AND TRAINING RANGE LAND WITHDRAWAL AND RESERVATION.

Notwithstanding section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892), the withdrawal and reservation of lands (known as the Nevada Test and Training Range) made by section 3011(b) of such Act (113 Stat. 886) shall terminate on November 6, 2046.

SEC. 2844. CO-MANAGEMENT, NEW MEMORANDUM OF UNDERSTANDING, AND ADDITIONAL REQUIREMENTS REGARDING NEVADA TEST AND TRAINING RANGE.

(a) DEFINITIONS.—In this section:

(1) The term ''affected Indian tribe'' means an Indian tribe that—

(A) has historical connections to the land withdrawn and reserved as the Nevada Test and Training Range; and

(B) retains a presence on lands near the Nevada Test and Training Range.

(2) The term ''heavy force'' means a military unit with armored motorized equipment, such as tanks, motorized artillery, and armored personnel carriers.

(3) The term ''large force'' means a military unit designated as a battalion or larger organizational unit.

(4) The term ''Nevada Test and Training Range'' means the lands known as the Nevada Test and Training Range withdrawn and reserved by section 3011(b) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 886).

(5) The term ''new memorandum of understanding'' means the memorandum of understanding required by subsection (c)(1).

(6) The term ''overlapping lands'' means the lands overlapping both the Nevada Test and Training Range and the Desert National Wildlife Refuge.

(7) The term ''Secretaries'' means the Secretary of the Air Force and the Secretary of the Interior acting jointly.

(8) The term ''small force'' means a military force of squad, platoon, or equivalent or smaller size.

(b) CO-MANAGEMENT OF FEDERAL LANDS OVERLAPPING NEVADA TEST AND TRAINING RANGE AND DESERT NATIONAL WILDLIFE REFUGE.—The Secretaries shall co-manage the overlapping lands for both military and wildlife refuge purposes.

(c) MEMORANDUM OF UNDERSTANDING.—

(1) NEW MOU REQUIRED.—Not later than two years after the date of the enactment of this Act, the Secretaries shall prepare a memorandum of understanding regarding the management of the overlapping lands for the purpose of facilitating the co-management of the overlapping lands as required by subsection (b).

(2) RELATION TO EXISTING MOU.—The new memorandum of understanding shall supersede the memorandum of understanding referred to in subparagraph (E) of section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 888). Clauses (ii), (iii), and (iv) of such subparagraph shall apply to the new memorandum of understanding in the same manner as such clauses applied to the superseded memorandum of understanding .

(d) ELEMENTS OF NEW MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Subject to the dispute resolution process required by subsection (e), the new memorandum of understanding shall include, at a minimum, provisions to address the following:

(A) The proper management and protection of the natural and cultural resources of the overlapping lands.

(B) The sustainable use by the public of such resources to the extent consistent with existing

laws and regulations, including applicable environmental laws.

(C) The use of the overlapping lands for the military purposes for which the lands are withdrawn and reserved.

(2) CONSULTATION.—The Secretaries shall prepare the new memorandum of understanding in consultation with the following:

(A) The resource consultative committee.

(B) Affected Indian tribes.

(3) TRIBAL ISSUES.—The new memorandum of understanding shall include provisions to address the manner in which the Secretary of the Air Force will accomplish the following:

(A) Meet the United States trust responsibilities with respect to affected Indian tribes, tribal lands, and rights reserved by treaty or Federal law affected by the withdrawal and reservation of the overlapping lands.

(B) Guarantee reasonable access to, and use by members of affected Indian tribes of high priority cultural sites throughout the Nevada Test and Training Range, including the overlapping lands, consistent with the reservation of the lands for military purposes.

(C) Protect identified cultural and archaeological sites throughout the Nevada Test and Training Range, including the overlapping lands, and, in the event of an inadvertent ground disturbance of such a site, implement appropriate response activities to once again facilitate historic and subsistence use of the site by members of affected Indian tribes.

(D) Provide for timely consultation with affected Indian tribes as required by paragraph (2).

(4) DEPARTMENT OF THE INTERIOR ACCESS.—The new memorandum of understanding shall ensure that the Secretary of the Interior has regularly access to the overlapping lands to carry out the management responsibilities of the Secretary of the Interior regarding the Desert National Wildlife Refuge, including the following:

(A) The installation or maintenance of wildlife water development projects.

(B) The conduct of annual desert bighorn sheep surveys.

(C) The management of the annual desert bighorn sheep hunt in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee).

(D) The conduct of annual biological surveys for the Agassiz's desert tortoise and other federally protected species, State-listed and at-risk species, migratory birds, golden eagle nests and rare plants.

(E) The conduct of annual invasive species surveys and treatment.

(F) The conduct of annual contaminant surveys of soil, springs, groundwater and vegetation.

(G) The regular installation and maintenance of climate monitoring systems.

(H) Such additional access opportunities, as needed, for wildlife research, including Global Positioning System collaring of desert bighorn sheep, bighorn sheep disease monitoring, investigation of wildlife mortalities, and deploying, maintaining, and retrieving output from wildlife camera traps.

(5) HUNTING, FISHING, AND TRAPPING.—The new memorandum of understanding shall include provisions to require that any hunting, fishing, and trapping on the overlapping lands is conducted in accordance with section 2671 of title 10, United States Code.

(6) OTHER REQUIRED MATTERS.—The new memorandum of understanding also shall include provisions regarding the following:

(A) The identification of current test and target impact areas and related buffer or safety zones, to the extent consistent with military purposes.

(B) The design and construction of all gates, fences, and barriers in the overlapping lands, to be constructed after the date of the enactment of this Act, in a manner to allow wildlife access, to the extent practicable and consistent with military security, safety, and sound wildlife management use.

(C) The incorporation of any existing management plans pertaining to the overlapping lands to the extent that the Secretaries, upon review of such plans, determine that incorporation into the new memorandum of understanding is appropriate.

(D) Procedures to ensure periodic reviews of the new memorandum of understanding are conducted by the Secretaries, and that the State of Nevada, affected Indian tribes, and the public are provided a meaningful opportunity to comment upon any proposed substantial revisions.

(e) RESOLUTION OF DISPUTES.—

(1) DISPUTE RESOLUTION PROCESS.—The Secretary of the Air Force shall be responsible for the resolution of any dispute concerning the new memorandum of understanding or any amendment thereto.

(2) CONSULTATION.—The Secretary of the Air Force shall make a decision under this subsection only after consultation with the Secretary of the Interior, acting through the Regional Director of the United States Fish and Wildlife Service, and the coordinator of the resource consultative committee.

(3) GOAL.—The Secretary of the Air Force shall seek to resolve disputes under this subsection in a manner that provides the greatest access to the overlapping lands to the public and to other Federal agencies and is protective of cultural and natural resources to the greatest extent possible consistent with the purposes for which the overlapping lands are reserved.

(f) RESOURCE CONSULTATIVE COMMITTEE.—

(1) ESTABLISHMENT REQUIRED.—The Secretaries shall establish, pursuant to the new memorandum of understanding, a resource consultative committee comprised of representatives from interested Federal agencies, as well as at least one elected officer (or other authorized representative) from the State of Nevada, and at least one elected officer (or other authorized representative) from each local and tribal government impacted by the Nevada Test and Training Range, as may be designated at the discretion of the Secretaries.

(2) PURPOSE.—The resource consultative committee shall be established solely for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the Nevada Test and Training Range.

(3) OPERATIONAL BASIS.—The resource consultative committee shall operate in accordance with the terms set forth in the new memorandum of understanding, which shall specify the Federal agencies and elected officers or representatives of State, local, and tribal governments to be invited to participate. The memorandum of understanding shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands concerned, procedures for rotating the chair of the committee, and procedures for scheduling regular meetings.

(4) COORDINATOR.—The Secretaries shall appoint an individual to serve as coordinator of the resource consultative committee. The duties of the coordinator shall be included in the new memorandum of understanding. The coordinator shall not be a member of the committee.

(g) AUTHORIZED AND PROHIBITED ACTIVITIES.—

(1) AUTHORIZED ACTIVITIES.—Military activities on the overlapping lands are authorized for the following purposes:

(A) Emergency response.

(B) Establishment and use of existing or new electronic tracking and communications sites.

(C) Establishment and use of drop zones.

(D) Use and maintenance of roads in existence as of the date of the enactment of this Act.

(E) Small force readiness training by Air Force, Joint, or Coalition forces, including training using small motorized vehicles both on- and off-road, in accordance with applicable interagency agreements.

(2) PROHIBITED ACTIVITIES.—Military activities on the overlapping lands are prohibited for the following purposes:

(A) Large force or heavy force activities.

(B) Designation of new weapon impact areas.

(C) Any ground disturbance activity not authorized by paragraphs (1) and (2) of subsection (c).

(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude—

(A) low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the overlapping lands; or

(B) the Secretaries from entering into the new memorandum of understanding or any amendment thereto concerning the activities authorized by paragraph (1).

(h) TRIBAL LIAISON POSITIONS.—

(1) ACCESS COORDINATOR.—The Secretary of the Air Force shall create a tribal liaison position for the Nevada Test and Training Range, to be held by a member of an affected Indian tribe, who will help coordinate access to cultural and archaeological sites throughout the Nevada Test and Training Range and accompany members of Indian tribes accessing such sites.

(2) CULTURAL RESOURCES LIAISON.—The Secretary of the Air Force shall create a tribal liaison position for the Nevada Test and Training Range, to be held by a member of an affected Indian tribe, who will serve as a tribal cultural resources liaison to ensure that—

(A) appropriate steps are being taken to protect cultural and archaeological sites throughout the Nevada Test and Training Range; and

(B) the management plan for the Nevada Test and Training Range is being followed.

(i) FISH AND WILDLIFE LIAISON.—The Secretaries shall create a Fish and Wildlife Service liaison position for the Nevada Test and Training Range, to be held by a Fish and Wildlife Service official designated by the Director of the United States Fish and Wildlife Service, who will serve as a liaison to ensure that—

(1) appropriate steps are being taken to protect Fish and Wildlife Service managed resources throughout the Nevada Test and Training Range; and

(2) the management plan for the Nevada Test and Training Range is being followed.

SEC. 2845. SPECIFIED DURATION OF WHITE SANDS MISSILE RANGE LAND WITHDRAWAL AND RESERVATION AND ESTABLISHMENT OF SPECIAL RESERVATION AREA FOR NORTHERN AND WESTERN EXTENSION AREAS.

(a) DURATION OF LAND WITHDRAWAL AND RESERVATION.—The withdrawal and reservation of lands (known as the White Sands Missile Range) made by section 2951 of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1039), and the special reservation area established by this section, shall terminate on October 1, 2046.

(b) SPECIAL RESERVATION AREA.—

(1) ESTABLISHMENT.—There is hereby established a special reservation area consisting of the approximately 341,415 acres of public land (including interests in land) in Socorro and Torrance Counties, New Mexico, and the approximately 352,115 acres of public land (including interests in land) in Sierra, Socorro, and Doña Ana Counties, New Mexico, depicted as Northern Call-Up Area and Western Call-Up Area, respectively, on the maps entitled ''WSMR Northern Call-Up Area'' and ''WSMR Western Call-Up Area'', both dated August 16, 2016. These lands include approximately 10,775 acres under the administrative jurisdiction of the Secretary of the Army.

(2) RESERVATION GENERALLY.—The special reservation area, excluding the portion of the special reservation area under the administrative

jurisdiction of the Secretary of the Army, is reserved for use by the Secretary of the Army for military purposes consisting of overflight research, development, test, and evaluation and training.

(3) ARMY LANDS.—The portion of the special reservation area under the administrative jurisdiction of the Secretary of the Army is reserved for use by the Secretary of the Army for military purposes as determined by the Secretary of the Army.

(c) EXCEPTION FROM SPECIAL RESERVATION.—The Secretary of the Army may permit, on a case-by-case basis and consistent with section 44718 of title 49, United States Code, the erection in the special reservation area established by subsection (b) of a structure that extends higher than 50 feet in height above the surface estate.

(d) MAPS AND LEGAL DESCRIPTIONS.—Section 3012 of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1026) shall apply with respect to the maps referred to in subsection (a) and the preparation of legal descriptions of the special reservation area established by subsection (b), except that the reference to the date of the enactment of that Act shall be deemed to refer to the date of the enactment of this Act.

(e) RULES OF CONSTRUCTION.—The establishment of the special reservation area by subsection (b) shall not be construed—

(1) to alter the terms, operation, or duration of any agreement entered into by the Secretary of the Army or the Secretary of the Interior involving any portion of the lands included in the special reservation area, and the Secretaries shall continue to comply with the terms of any such agreement; or

(2) to vest in the Secretary of the Army or the Secretary of the Interior any authority vested in the Secretary of Transportation or the Administrator of the Federal Aviation Administration.

Subtitle F—Asia-Pacific and Indo-Pacific Issues

SEC. 2851. CHANGE TO BIENNIAL REPORTING REQUIREMENT FOR INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835(e)(1) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 10 U.S.C. 2687 note) is amended—

(1) in the paragraph heading, by striking ''ANNUAL'' and inserting ''BIENNIAL''; and

(2) in the matter preceding subparagraph (A)—

(A) by striking ''February 1 of each year'' and inserting ''February 1, 2022, and every second February 1 thereafter'';

(B) by striking ''fiscal year'' and inserting ''two fiscal years'';

(C) by striking ''such year'' and inserting ''such years''; and

(D) by striking ''the year'' and inserting ''the years''.

SEC. 2852. ADDITIONAL EXCEPTION TO RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

Notwithstanding section 2821(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 10 U.S.C. 2687 note), the Secretary of Defense may proceed with the public infrastructure project on Guam intended to provide a new public health laboratory, as identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017) and entitled ''Economic Adjustment Committee Implementation Plan Supporting the Preferred Alternative for the Relocation of Marine Corps Forces to Guam'', subject to the availability of funds for the project.

SEC. 2853. DEVELOPMENT OF MASTER PLAN FOR INFRASTRUCTURE TO SUPPORT ROTATIONAL ARMED FORCES IN AUSTRALIA.

(a) MASTER PLAN REQUIRED.—The Secretary of Defense shall develop a master plan for the construction of infrastructure required to support the rotational presence of units and members the United States Armed Forces in the Northern Territory of the Commonwealth of Australia (in this section referred to as the ''Northern Territory'').

(b) MASTER PLAN ELEMENTS.—The master plan shall include the following:

(1) A list and description of the scope, cost, and schedule for each military construction, repair, or other infrastructure project carried out at installations or training areas in the Northern Territory since October 1, 2011.

(2) A list and description of the scope, cost, and schedule for each military construction, repair, or other infrastructure project anticipated to be necessary at installations or training areas in the Northern Territory during the 10-year period beginning on the date of the enactment of this Act.

(3) The site plans for each installation and training area in the Northern Territory.

(4) For each project included in the master plan pursuant to paragraph (1) or (2), an explanation of—

(A) whether the proponent of the project was the Secretary of a military department, a combat support agency, a combatant command, or the Commonwealth of Australia; and

(B) the funding source, or anticipated resource sponsor, for the project, including whether the project is funded by the United States, by the Commonwealth of Australia, or jointly by both countries.

(5) Such other issues as determined by the Secretary of Defense to be appropriate.

(c) COORDINATION.—The Secretary of Defense shall coordinate with the Commander of United States Indo-Pacific Command and the Secretaries of the military departments to develop the master plan.

(d) REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a copy of the master plan. The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 2854. STUDY AND STRATEGY REGARDING BULK FUELS MANAGEMENT IN UNITED STATES INDO-PACIFIC COMMAND AREA OF RESPONSIBILITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The ordering and delivery of bulk fuels is organizationally bifurcated to the detriment of the Department of Defense.

(2) Legacy bulk fuel management will not meet the accelerated pace of operations required to support the National Defense Strategy and the emphasis on disaggregated operations.

(3) The number of United States flagged tanking vessels continues to decline, which has resulted in an excessive reliance on foreign flagged tanking vessels to be available to support the National Defense Strategy.

(4) A foreign flagged tanking vessel support strategy induces excessive risk to support United States disaggregated operations in a highly contested environment.

(5) The inadequacies of the legacy bulk fuel management strategy is particularly acute in the United States Indo-Pacific Command Area of Responsibility.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a single organizational element should be responsible for the bulk fuel management and delivery throughout the United States Indo-Pacific Command Area of Responsibility.

(c) STUDY AND STRATEGY REQUIRED.—The Secretary of the Navy shall—

(1) conduct a study of current and projected bulk fuel management strategies in the United States Indo-Pacific Command Area of Responsibility; and

(2) prepare a proposed bulk fuel management strategy that optimally supports bulk fuel management in the United States Indo-Pacific Command Area of Responsibility.

(d) ELEMENTS OF STUDY.—The study required by subsection (c) shall include the following elements:

(1) A description of current organizational responsibility of bulk fuel management in the United States Indo-Pacific Command Area of Responsibility from ordering, storage, strategic transportation, and tactical transportation to the last tactical mile.

(2) A description of legacy bulk fuel management assets that can be used to support the United States Indo-Pacific Command.

(3) Options for congressional consideration to better align organizational responsibility through the entirety of the bulk fuel management system in the United States Indo-Pacific Command Area of Responsibility, as proposed in the bulk fuel management strategy prepared pursuant to paragraph (2) of such subsection.

(e) COORDINATION.—The Secretary of the Navy shall conduct the study and prepare the bulk fuel management strategy required by subsection (c) in coordination with subject-matter experts of the United States Indo-Pacific Command, the United States Transportation Command, and the Defense Logistics Agency.

(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing the results of the study required by subsection (c) and the bulk fuel management strategy required by such subsection.

(g) PROHIBITION ON CERTAIN CONSTRUCTION PENDING REPORT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy for construction related to additional bulk fuel storage in the United States Indo-Pacific Command Area of Responsibility may be obligated or expended until the report required by subsection (f) is submitted to the congressional defense committees.

Subtitle G—Other Matters

SEC. 2861. DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.

(a) PRIORITIZATION OF COMMUNITY INFRASTRUCTURE PROJECTS.—Section 2391(d)(1) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by striking '', if the Secretary determines that such assistance will enhance the military value, resilience, or military family quality of life at such military installation''; and

(3) by adding at the end the following new subparagraph:

''(B) The Secretary shall establish criteria for the selection of community infrastructure projects to receive assistance under this subsection, including selection of community infrastructure projects in the following order of priority:

''(i) Projects that will enhance military installation resilience.

''(ii) Projects that will enhance military value at a military installation.

''(iii) Projects that will enhance military family quality of life at a military installation.''.

(b) COST-SHARING REQUIREMENTS.—Paragraph (2) of section 2391(d) of title 10, United States Code, is amended to read as follows:

''(2)(A) The criteria established for the selection of community infrastructure projects to receive assistance under this subsection shall include a requirement that, except as provided in subparagraph (B), the State or local government agree to contribute not less than 30 percent of the funding for the community infrastructure project.

''(B) If a proposed community infrastructure project will be carried out in a rural area or the

Secretary of Defense determines that a proposed community infrastructure project is advantageous for reasons related to national security, the Secretary—

''(i) shall not penalize a State or local government for offering to make a contribution of 30 percent or less of the funding for the community infrastructure project; and

''(ii) may reduce the requirement for a State or local government contribution to 30 percent or less or waive the cost-sharing requirement entirely.''.

(c) SPECIFIED DURATION OF PROGRAM.—Section 2391(d)(4) of title 10, United States Code, is amended by striking ''upon the expiration of the 10-year period which begins on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019'' and inserting ''on September 30, 2028''.

SEC. 2862. PILOT PROGRAM ON REDUCTION OF EFFECTS OF MILITARY AVIATION NOISE ON CERTAIN COVERED PROPERTY.

(a) IN GENERAL.—The Secretary of Defense shall carry out a five-year pilot program under which the commander of a military installation may provide funds for the purpose of installing noise insulation on covered property impacted by military aviation noise from aircraft utilizing the installation.

(b) COST SHARING REQUIREMENT.—To be eligible to receive funds under the pilot program, a recipient shall enter into an agreement with the commander to cover at least 50 percent of the cost to acquire and install the noise insulation for the covered property.

(c) NOISE REDUCTION THRESHOLD.—To be eligible to receive funds under the pilot program, the commander must determine that, if noise insulation is installed as requested, noise at the covered property would be reduced by at least five dB.

(d) OTHER FUNDING LIMITATIONS.—Funds provided under the pilot program shall be used for the installation of noise insulation for covered property—

(1) located within a Department of Defense noise contour between 65 dB day-night average sound level and 75 dB day-night average sound level as validated on a National Environmental Policy Act-compliant assessment within the past three years; and

(2) where interior noise has been measured at 45 dB day-night average sound level by the installation.

(e) GOALS AND BEST PRACTICES.—In carrying out the pilot program, a commander shall pursue the following goals and use the following best practices:

(1) Minimize cost in order to maximize the quantity of covered property served.

(2) Focus efforts on covered property newly impacted by increased noise levels.

(f) COVERED PROPERTY DEFINED.—For purposes of the pilot program, the term ''covered property'' means the following:

(1) A private residence.

(2) A hospital.

(3) A daycare facility.

(4) A school.

(5) A facility whose primary purpose is serving senior citizens.

(g) CONDITION ON COMMENCEMENT.—Commencement of the pilot program shall be subject to the availability of appropriations for the program.

SEC. 2863. DEPARTMENT OF DEFENSE POLICY FOR REGULATION OF DANGEROUS DOGS IN MILITARY COMMUNITIES.

(a) POLICY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, through the Veterinary Service Activity of the Department of Defense, shall establish a standardized policy applicable across all military communities for the regulation of dangerous dogs that is—

(1) breed-neutral; and

(2) consistent with advice from professional veterinary and animal behavior experts in regard to effective regulation of dangerous dogs.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations implementing the policy established under subsection (a).

(2) BEST PRACTICES.—The regulations prescribed under paragraph (1) shall include strategies, for implementation within all military communities, for the prevention of dog bites that are consistent with the following best practices:

(A) Enforcement of comprehensive, nonbreed-specific regulations relating to dangerous dogs, with emphasis on identification of dangerous dog behavior and chronically irresponsible owners.

(B) Enforcement of animal control regulations, such as leash laws and stray animal control policies.

(C) Promotion and communication of resources for pet spaying and neutering.

(D) Investment in community education initiatives, such as teaching criteria for pet selection, pet care best practices, owner responsibilities, and safe and appropriate interaction with dogs.

(c) DEFINITIONS.—In this section:

(1) The term ''dangerous dog'' means a dog that—

(A) has attacked a person or another animal without justification, causing injury or death to the person or animal; or

(B) exhibits behavior that reasonably suggests the likely risk of such an attack.

(2) The term ''military communities'' means—

(A) all installations of the Department; and

(B) all military housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installation outside the United States, and in the amount, set forth in the following table:

Navy: Outside the United States

Country	Location	Amount
Spain	Rota	$59,230,000

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Germany	Ramstein	$36,345,000
	Spangdahlem Air Base	$25,824,000
Romania	Campia Turzii	$130,500,000

SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 21–D–510, High Explosive Synthesis, Formulation, and Production facility, Pantex Plant, Amarillo, Texas, $177,395,000.

Project 21–D–511, Savannah River Plutonium Processing Facility, Savannah River Site, Aiken, South Carolina, $241,896,000.

Project 21–D–512, Plutonium Pit Production Project, Los Alamos National Laboratory, Los Alamos, New Mexico, $116,900,000 for planning and design and $79,100,000 for construction.

Project 21–D–530, Steam and Condensate Upgrade, Knolls Atomic Power Laboratory, Schenectady, New York, $50,200,000.

General Purpose Project, TA–15 Dual-Axis Radiographic Hydrodynamic Test facility, Hydro Vessel Repair facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $16,491,000.

General Purpose Project, U1a.03 Test Bed Facility Improvements, Nevada National Security Site, Mercury, Nevada, $16,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for defense environmental cleanup activities in

carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 21–D–401, Hoisting Capability Project, Waste Isolation Pilot Plant, Carlsbad, New Mexico, $10,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, Limitations, and Other Matters

SEC. 3111. NUCLEAR WARHEAD ACQUISITION PROCESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in its 25th year, the science-based Stockpile Stewardship Program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) has succeeded in providing the United States with a credible nuclear deterrent in the absence of nuclear explosive testing;

(2) maintaining global moratoria on nuclear explosive testing is in the national security interest of the United States;

(3) a robust, second-to-none science and technology enterprise is required to maintain and certify the nuclear weapons stockpile of the United States; and

(4) the National Nuclear Security Administration must continue to improve program management and execution of the major acquisition programs of the Administration.

(b) REQUIREMENTS.—

(1) PHASES.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 4201 et seq.) is amended by adding at the end the following new section:

"SEC. 4223. REQUIREMENTS FOR CERTAIN JOINT NUCLEAR WEAPONS LIFE CYCLE PHASES.

''(a) DESIGN AND ENGINEERING REQUIREMENTS.—The Administrator shall ensure the following:

''(1) The national security laboratories engage in peer review of proposed designs of nuclear weapons.

''(2) The nuclear weapons production facilities are involved early and often during the design and engineering process of nuclear weapons in order to take into account how such design and engineering will affect the production of the nuclear weapons.

''(b) REQUIREMENTS AFTER PHASE 1.—After the Administrator completes phase 1 of the joint nuclear weapons life cycle for a nuclear weapon, the Nuclear Weapons Council shall submit to the congressional defense committees a report containing the following:

''(1) A description of the potential military characteristics of the nuclear weapon.

''(2) A description of the stockpile-to-target sequence requirements of the nuclear weapon.

''(3) A description of any other requirements of the Administration or the Department of Energy that will affect the nuclear weapon, including the first product unit date, the initial operational capability date, the final operational capability date, or requirements relating to increased safety and surety.

''(4) Initial assessments of the effect to the nuclear security enterprise workforce and any required new or recapitalized major facilities or capabilities relating to the nuclear weapon.

''(c) REQUIREMENTS ENTERING INTO PHASE 2.—Not later than 15 days after the date on which the Nuclear Weapons Council approves a nuclear weapon for phase 2 of the joint nuclear weapons life cycle, the Administrator shall submit to the congressional defense committees a plan to implement an independent peer-review process, a board of experts, or both, with respect to the nonnuclear weapon component and subsystem design and engineering aspects of such nuclear weapon. The Administrator shall ensure that such process—

''(1) uses all relevant capabilities of the Federal Government, the defense industrial base, and academia, and other capabilities that the Administrator determines necessary; and

''(2) informs the entire development life cycle of such nuclear weapon.

''(d) REQUIREMENTS ENTERING INTO PHASE 3.—

''(1) INDEPENDENT COST ASSESSMENT.—Before the Nuclear Weapons Council approves a nuclear weapon for phase 3 of the joint nuclear weapons life cycle, the Administrator shall ensure that an independent cost assessment is conducted for phase 3 that includes assigning a percentage of confidence level with respect to the Administrator being able to carry out phase 3 within the estimated schedule and cost objectives.

''(2) CERTIFICATIONS AND REPORTS.—Not later than 15 days after the date on which the Nuclear Weapons Council approves a nuclear weapon for phase 3 of the joint nuclear weapons life cycle—

''(A) the Administrator shall certify to the congressional defense committees that—

''(i) the joint nuclear weapons life cycle process for phases 1 through 5 of the nuclear weapon has equal or greater rigor as the life extension process under each part of phase 6; and

''(ii) the level of design and technology maturity of the proposed design of the nuclear weapon can be carried out within the estimated schedule and cost objectives specified in the cost assessment under paragraph (1); and

''(B) the Commander of the United States Strategic Command shall submit to the congressional defense committees a report containing—

''(i) the specific warhead requirements for the delivery system of the nuclear weapon, including such planned requirements during the 15-year period following the date of the report; and

''(ii) an identification of the tail numbers of the warheads for that delivery system that may require life extensions, be retired, or be altered during such period, and a description of the considerations for deciding on such actions.

''(e) WAIVERS.—Subsections (b) through (d) may be waived during a period of war declared by Congress after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.

''(f) JOINT NUCLEAR WEAPONS LIFE CYCLE DEFINED.—In this section, the term 'joint nuclear weapons life cycle' has the meaning given that term in section 4220.''.

(2) 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. Requirements for certain joint nuclear weapons life cycle phases.''.

(c) SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES.—Section 4217(b)(1) of such Act (50 U.S.C. 2537(b)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''phase 6.2A'' and inserting ''phase 2A and phase 6.2A'';

(B) in clause (ii), by striking ''phase 6.3'' and inserting ''phase 3 and phase 6.3'';

(C) in clause (iii)—

(i) by striking ''phase 6.4'' and inserting ''phase 4 and phase 6.4''; and

(ii) by striking ''phase 6.5'' and inserting ''phase 5 and phase 6.5''; and

(2) in subparagraph (B), by striking ''phase 6.2'' and inserting ''phase 2 and phase 6.2''.

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Director for Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall submit to the congressional defense committees a report containing recommendations to strengthen governance, program execution, and program management controls with respect to the process of the joint nuclear weapons life cycle (as defined in section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b).

SEC. 3112. UNCOSTED AND UNOBLIGATED AMOUNTS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3251(b) of the National Nuclear Security Administration Act (50 U.S.C. 2451(b)) is amended by adding at the end the following new paragraph:

''(3) In the budget justification materials for each of fiscal years 2022 through 2026 submitted to Congress in support of each such budget, the Administrator shall include a detailed description of the uncosted and unobligated amounts that the Administrator maintains, listed by the year for which the amounts were appropriated, including—

''(A) the gross uncosted and unobligated amounts for each individual program element (using thresholds specified in the report submitted by the Secretary of Energy to Congress titled 'Report on Uncosted Balances for Fiscal Year Ended September 30, 2014'); and

''(B) an explanation for why the uncosted and unobligated amounts have not been expended.''.

SEC. 3113. EXTENSION OF LIMITATION RELATING TO RECLASSIFICATION OF HIGH-LEVEL WASTE.

Section 3121 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1953) is amended by striking ''fiscal year 2020'' and inserting ''fiscal year 2020 or fiscal year 2021''.

SEC. 3114. EXTENSION OF PILOT PROGRAM ON UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.

Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note) is amended—

(1) in subsection (c)(2), by striking ''four'' and inserting ''five''; and

(2) in subsection (d), by striking ''February 15, 2020'' and inserting ''December 31, 2020''.

SEC. 3115. PLUTONIUM PIT PRODUCTION.

(a) INDEPENDENT COST ESTIMATE.—

(1) REQUIREMENT.—The Secretary of Energy shall conduct an independent cost estimate of the Savannah River Plutonium Processing Facility project in accordance with Department of Energy Directive 413.3b, as in effect on the date of the enactment of this Act.

(2) CONFIDENCE LEVEL.—The assessment under paragraph (1) shall assign a percentage of confidence level with respect to the Secretary being able to carry out the Facility project within the estimated schedule and cost objectives.

(3) SUBMISSION.—The Secretary shall submit to the congressional defense committees the independent cost estimate under paragraph (1).

(b) CONDITIONAL REPORTS AND CERTIFICATIONS.—

(1) LOW CONFIDENCE.—If the assessment under subsection (a) assigns a confidence level below 90 percent pursuant to paragraph (2) of such subsection—

(A) the Secretary shall submit to the congressional defense committees the report described in paragraph (2); and

(B) the Commander of the United States Strategic Command shall certify to such committees that either—

(i) the requirement to produce not less than 80 war reserve plutonium pits during 2030 pursuant to section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) cannot be extended by up to five years without causing a grave threat to the national security of the United States, taking into account options for temporarily surging the

production of such pits at Los Alamos National Laboratory and other mitigation strategies available to the Commander; or

(ii) such requirement can be so extended without causing a grave threat to the national security of the United States.

(2) REPORT.—The report described in this paragraph is a report by the Secretary that contains either of the following:

(A) A certification by the Secretary, without delegation, that, notwithstanding the confidence level contained in the assessment under subsection (a), the Secretary has a confidence level of 90 percent or greater with respect to being able to carry out the Facility project within the estimated schedule and cost objectives.

(B) If the Secretary cannot make the certification under subparagraph (A), a plan by the Secretary to achieve such a confidence level of 90 percent or greater, including with respect to changing the costs, schedule, and scope of the Facility project.

SEC. 3116. PROGRAM FOR RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish a program to assess the viability of using low-enriched uranium in naval nuclear propulsion reactors, including such reactors located on aircraft carriers and submarines, that meet the requirements of the Navy.

(b) ACTIVITIES.—In carrying out the program under subsection (a), the Administrator shall carry out activities to develop an advanced naval nuclear fuel system based on low-enriched uranium, including activities relating to—

(1) down-blending of high-enriched uranium into low-enriched uranium;

(2) manufacturing of candidate advanced low-enriched uranium fuels;

(3) irradiation tests and post-irradiation examination of these fuels; and

(4) modification or procurement of equipment and infrastructure relating to such activities.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a plan outlining the activities the Administrator will carry out under the program established under subsection (a), including the funding requirements associated with developing a low-enriched uranium fuel.

SEC. 3117. INDEPENDENT STUDY ON EFFECTS OF USE OF NUCLEAR WEAPONS.

(a) STUDY.—The Administrator for Nuclear Security shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies conduct a study on the atmospheric effects of nuclear explosions.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) An evaluation of the non-fallout atmospheric effects of likely and plausible scenarios for nuclear war, ranging from relatively small, regional exchanges to large exchanges associated with nuclear war between major powers.

(2) An examination of the effects evaluated under paragraph (1) by—

(A) the yield, type, and number of nuclear weapons;

(B) the types and locations of targets;

(C) the time distribution of the explosions;

(D) the atmospheric conditions; and

(E) other factors that may have a significant impact on the effects.

(3) An assessment of current models of nuclear explosions, including with respect to—

(A) the fires such explosions may cause;

(B) the atmospheric transport of the gases from such explosions;

(C) the radioactive material from such explosions; and

(D) the soot and other debris from such explosions and fires, the atmospheric effects of such soot and debris, and the consequences of such effects, including the consequences relating to extreme weather, air pollution, stratospheric ozone, agriculture, and marine and terrestrial ecosystems.

(4) Identification of the capabilities and limitations of the models described in paragraph (3) for assessing the impacts of nuclear war, including—

(A) an evaluation of the relevant uncertainties;

(B) a highlight of the key data gaps; and

(C) recommendations for how such models can be improved to inform decision making.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the National Academies shall submit to the Administrator for National Security and the congressional defense committees a report on the study under subsection (a).

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) INFORMATION.—The Secretary of Defense shall provide to the National Academies the information of the Department of Defense necessary for the National Academies to conduct the study under subsection (a), including information relating to relevant scenarios described in subsection (b).

SEC. 3118. REPORTS ON DIVERSITY OF CERTAIN CONTRACTOR EMPLOYEES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ANNUAL REPORTS.—Not later than December 31, 2020, and each year thereafter through 2022, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on the diversity of contractor employees of the National Nuclear Security Administration.

(b) MATTERS INCLUDED.—Subject to subsection (c), each report under subsection (a) shall include, for each covered element of the Administration, the following:

(1) With respect to the fiscal year covered by the report and the previous fiscal year, demographic data of—

(A) the contractor employees of the covered element;

(B) the contractor employees hired at the covered element during each such year; and

(C) the contractor employees of the covered element who voluntarily separated during each such year.

(2) A breakdown of the data under paragraph (1) by each position in the common occupational classification system.

(3) A description of the plan to increase diversity at the covered element, and how such plan responds to any trends identified with respect to the data under paragraph (1).

(4) An identification of the official of the covered element responsible for implementing such plan and a description of how the person determines whether the covered element is meeting the goals of the plan.

(5) A description of the training resources relating to diversity, equality, and inclusion are available to contractor employees of the covered element with hiring authority, and an identification of how many such contractor employees have been trained.

(c) DATA.—The Administrator shall carry out this section using data that is—

(1) otherwise available to the Administrator and to the management and operating contractors of the nuclear security enterprise; and

(2) collected in accordance with applicable regulations of the Equal Employment Opportunity Commission, regulations of the Office of Federal Contract Compliance Programs of the Department of Labor, and applicable provisions of Federal law on privacy.

(d) PUBLICATION.—The Administrator shall make publicly available on the internet website of the Department of Energy each report under subsection (a), subject to the regulations and Federal law specified in subsection (c)(2).

(e) DEFINITIONS.—In this section:

(1) The term ''contractor employee'' means an employee of a management and operating contractor of the nuclear security enterprise.

(2) The term ''covered element'' means each national security laboratory and nuclear weapons production facility (as such terms are defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

(3) The term ''nuclear security enterprise'' has the meaning that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

SEC. 3119. FINDINGS, PURPOSE, AND APOLOGY RELATING TO FALLOUT EMITTED DURING THE GOVERNMENT'S ATMOSPHERIC NUCLEAR TESTS.

Section 2(a)(1) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting '', including individuals in New Mexico, Idaho, Colorado, Arizona, Utah, Texas, Wyoming, Oregon, Washington, South Dakota, North Dakota, Nevada, Guam, and the Northern Mariana Islands,'' after ''tests exposed individuals''.

SEC. 3120. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2021, $28,836,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $13,006,000 for fiscal year 2021 for the purpose of carrying out activities under chapter 869 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

(a) FISCAL YEAR 2021 AUTHORIZATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2021, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $81,944,000, of which—

(A) $76,444,000 shall be for Academy operations; and

(B) $5,500,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $37,700,000, of which—

(A) $2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program; and

(B) $30,500,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program,

$388,815,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $55,853,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $4,200,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $494,008,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide small shipyards and maritime communities grants under section 54101 of title 46, United States Code, $20,000,000.

(b) AMOUNT OF FISCAL YEAR 2021 CONTRACTOR PAYMENTS UNDER OPERATING AGREEMENTS.—Section 53106(a)(1)(B) of title 46, United States Code, is amended by striking ''$5,233,463'' and inserting ''$8,233,463''.

(c) CONFORMING AMENDMENT.—Section 53111(2) of title 46, United States Code, is amended by striking ''$314,007,780'' and inserting ''$494,008,000''.

SEC. 3502. SENSE OF CONGRESS REGARDING ROLE OF DOMESTIC MARITIME INDUSTRY IN NATIONAL SECURITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States domestic maritime industry, with a fleet of nearly 40,000 vessels, supports nearly 650,000 American jobs and provides more than $150,000,000 in annual economic output.

(2) The vessel innovations of the domestic trades that transformed worldwide maritime commerce include the development of container ships, self-unloading vessels, articulated tug-barges, trailer barges, chemical parcel tankers, railroad-on-barge carfloats, and river flotilla towing systems.

(3) The domestic fleet is essential to national security is needed to crew United States Government-owned and other sealift vessels to protect the Nation.

(4) The Department of Defense and the entire national security infrastructure of the United States benefits from a robust commercial shipyard and ship repair industry, which helps provide both economic and military sealift support.

(5) The Department of Defense depends on the United States domestic trades' fleet of container ships, roll-on/roll-off ships, product tankers, and other vessels to assist with the flow of military cargoes during both peace time and war time.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States coastwise trade laws promote a strong domestic trade maritime industry, which supports the national security and economic vitality of the United States and the efficient operation of the United States transportation system; and

(2) a strong commercial maritime industry makes the United States more secure.

SEC. 3503. NONAPPLICABILITY OF REQUIREMENT RELATING TO MINIMUM NUMBER OF OPERATING DAYS FOR VESSELS OPERATING UNDER MSP OPERATING AGREEMENTS.

Notwithstanding part 296 of title 46, Code of Federal Regulations, until December 31, 2020, or upon the written determination of the Secretary of Transportation until June 31, 2021, the operator of a vessel operating such vessel under an MSP Operating Agreement (as such term is defined in section 296.2 of title 46, Code of Federal Regulations)—

(1) shall not be required to comply with any requirement with respect to operating days (as such term is defined in such section) contained in such agreement; and

(2) shall maintain such vessel in a state of operational readiness, including through the employment of the vessel's crew complement, until the applicable date.

SEC. 3504. IMPROVEMENTS TO PROCESS FOR WAIVING NAVIGATION AND VESSEL-INSPECTION LAWS.

(a) IMPROVEMENTS TO WAIVER PROCESS.—Section 501 of title 46, United States Code, is amended—

(1) in subsection (a), by adding ''to address an immediate adverse effect on military operations'' after ''national defense'';

(2) in subsection (b)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by inserting after paragraph (1) the following new paragraph:

''(2) DURATION OF WAIVER.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a waiver issued under this subsection shall be for a period of not more than 10 days.

''(B) WAIVER EXTENSION.—Upon the termination of the period of a waiver issued under this subsection, the head of an agency may extend the waiver for an additional period of not more than 10 days, if the Maritime Administrator makes the determinations referred to in paragraph (1).

''(C) AGGREGATE DURATION.—The aggregate duration of the period of all waivers and extensions of waivers under this subsection with respect to any one set of events shall not exceed 45 days.''; and

(C) in paragraph (4), as so redesignated—

(i) in subparagraph (B)(ii), by striking ''paragraph (2)(A)'' and inserting ''paragraph (3)(A)''; and

(ii) by adding at the end the following new subparagraph:

''(C) NOTIFICATION REQUIRED FOR EXTENSIONS.—For purposes of this paragraph, an extension requested or issued under paragraph (2)(B) shall be treated in the same manner as a waiver requested or issued under this section.'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following new subsection:

''(c) REPORT.—

''(1) IN GENERAL.—Not later than 10 days after the date of the conclusion of the voyage of a vessel that, during such voyage, operated under a waiver issued under this section, the owner or operator of the vessel shall submit to the Maritime Administrator a report that includes—

''(A) the name and flag of the vessel;

''(B) the dates of the voyage;

''(C) any relevant ports of call; and

''(D) any other information the Maritime Administrator determines necessary.

''(2) PUBLICATION.—Not later than 48 hours after receiving a report under paragraph (1), the Maritime Administrator shall publish such report on an appropriate website of the Department of Transportation.''.

(b) APPLICABILITY.—The amendments made by this section shall apply with respect to waivers issued after the date of the enactment of this Act.

Subtitle B—Tanker Security Fleet

SEC. 3511. TANKER SECURITY FLEET.

(a) IN GENERAL.—Part C of subtitle V of title 46, United States Code, is amended by inserting after chapter 531 the following new chapter:

''CHAPTER 532—TANKER SECURITY FLEET

''53201. Definitions.
''53202. Establishment of the Tanker Security Fleet.
''53203. Vessel standards.
''53204. Award of operating agreements.
''53205. Effectiveness of operating agreements.
''53206. Obligations and rights under operating agreements.
''53207. Payments.
''53208. National security requirements.
''53209. Regulatory relief.
''53210. Special rule regarding age of participating Fleet vessels.
''53211. Regulations.
''53212. Authorization of appropriations.
''53213. Acquisition of Fleet vessels.

''§ 53201. Definitions

''In this chapter:

''(1) FOREIGN COMMERCE.—The term 'foreign commerce' means—

''(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; and

''(B) commerce or trade between foreign countries including trade between foreign ports in accordance with normal commercial bulk shipping practices in such a manner as will permit vessels of the United States freely to compete with foreign-flag liquid bulk carrying vessels in their operation or in competing charters, subject to rules and regulations promulgated by the Secretary of Transportation pursuant to this chapter or subtitle.

''(2) PARTICIPATING FLEET VESSEL.—The term 'participating Fleet vessel' means any tank vessel covered by an operating agreement under this chapter on or after January 1, 2021.

''(3) PERSON.—The term 'person' includes corporations, partnerships, and associations existing under, or authorized by, laws of the United States, or any State, territory, district, or possession thereof, or any foreign country.

''(4) TANK VESSEL.—The term 'tank vessel' has the meaning that term has under section 2101.

''(5) UNITED STATES CITIZEN TRUST.—The term 'United States citizen trust'—

''(A) means a trust for which—

''(i) each of the trustees is a citizen of the United States; and

''(ii) the application for documentation of the vessel under chapter 121 includes an affidavit of each trustee stating that the trustee is not aware of any reason involving a beneficiary of the trust that is not a citizen of the United States, or involving any other person who is not a citizen of the United States, as a result of which the beneficiary or other person would hold more than 25 percent of the aggregate power to influence or limit the exercise of the authority of the trustee with respect to matters involving any ownership or operation of the vessel that may adversely affect the interests of the United States;

''(B) does not include a trust for which any person that is not a citizen of the United States has authority to direct, or participate in directing, a trustee for a trust in matters involving any ownership or operation of the vessel that may adversely affect the interests of the United States or in removing a trustee without cause, either directly or indirectly through the control of another person, unless the trust instrument provides that persons who are not citizens of the United States may not hold more than 25 percent of the aggregate authority to so direct or remove a trustee; and

''(C) may include a trust for which a person who is not a citizen of the United States holds more than 25 percent of the beneficial interest in the trust.

''§ 53202. Establishment of the Tanker Security Fleet

''(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Defense, shall establish a fleet of active, commercially viable, militarily useful, privately owned product tankers to meet national defense and other security requirements and maintain a

United States presence in international commercial shipping. The fleet shall consist of privately owned vessels of the United States for which there are in effect operating agreements under this chapter, and shall be known as the 'Tanker Security Fleet' (hereinafter in this chapter referred to as the 'Fleet').

''(b) VESSEL ELIGIBILITY.—A vessel is eligible to be included in the Fleet if the vessel—

''(1) meets the requirements under paragraph (1), (2), (3), or (4) of subsection (c);

''(2) is operated (or in the case of a vessel to be constructed, will be operated) in providing transportation in United States foreign commerce;

''(3) is self-propelled;

''(4) is not more than ten years of age on the date the vessel is first included in the Fleet and not more than 25 years of age at any time during which the vessel is included in the Fleet;

''(5) is determined by the Secretary of Defense to be suitable for use by the United States for national defense or military purposes in time of war or national emergency; and

''(6) is commercially viable, as determined by the Secretary of Transportation; and

''(7) is—

''(A) a vessel of the United States; or

''(B) not a vessel of the United States, but—

''(i) the owner of the vessel has demonstrated an intent to have the vessel documented under chapter 121 if it is included in the Fleet; and

''(ii) at the time an operating agreement is entered into under this chapter, the vessel is eligible for documentation under chapter 121.

''(c) REQUIREMENTS REGARDING CITIZENSHIP OF OWNERS, CHARTERERS, AND OPERATORS.—

''(1) VESSELS OWNED AND OPERATED BY SECTION 50501 CITIZENS.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter that applies to the vessel, the vessel will be owned and operated by one or more persons that are citizens of the United States under section 50501.

''(2) VESSELS OWNED BY A SECTION 50501 CITIZEN, OR UNITED STATES CITIZEN TRUST, AND CHARTERED TO A DOCUMENTATION CITIZEN.—A vessel meets the requirements of this paragraph if—

''(A) during the period of an operating agreement under this chapter that applies to the vessel, the vessel will be—

''(i) owned by a person that is a citizen of the United States under section 50501 or that is a United States citizen trust; and

''(ii) demise chartered to a person—

''(I) that is eligible to document the vessel under chapter 121;

''(II) the chairman of the board of directors, chief executive officer, and a majority of the members of the board of directors of which are citizens of the United States under section 50501, and are appointed and subjected to removal only upon approval by the Secretary; and

''(III) that certifies to the Secretary that there are no treaties, statutes, regulations, or other laws that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter;

''(B) in the case of a vessel that will be demise chartered to a person that is owned or controlled by another person that is not a citizen of the United States under section 50501, the other person enters into an agreement with the Secretary not to influence the operation of the vessel in a manner that will adversely affect the interests of the United States; and

''(C) the Secretary of Transportation and the Secretary of Defense notify the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives that the Secretaries concur with the certification required under subparagraph (A)(ii)(III), and have reviewed and agree that there are no legal, operational, or other impediments that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter.

''(3) VESSELS OWNED AND OPERATED BY A DEFENSE OWNER OR OPERATOR.—A vessel meets the requirements of this paragraph if—

''(A) during the period of an operating agreement under this chapter that applies to the vessel, the vessel will be owned and operated by a person that—

''(i) is eligible to document a vessel under chapter 121;

''(ii) operates or manages other vessels of the United States for the Secretary of Defense, or charters other vessels to the Secretary of Defense;

''(iii) has entered into a special security agreement for the purpose of this paragraph with the Secretary of Defense;

''(iv) makes the certification described in paragraph (2)(A)(ii)(III); and

''(v) in the case of a vessel described in paragraph (2)(B), enters into an agreement referred to in that subparagraph; and

''(B) the Secretary of Transportation and the Secretary of Defense notify the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives that they concur with the certification required under subparagraph (A)(iv), and have reviewed and agree that there are no legal, operational, or other impediments that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter.

''(4) VESSELS OWNED BY DOCUMENTATION CITIZENS AND CHARTERED TO SECTION 50501 CITIZENS.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter, the vessel will be—

''(A) owned by a person who is eligible to document a vessel under chapter 121; and

''(B) demise chartered to a person that is a citizen of the United States under section 50501.

''(d) REQUEST BY SECRETARY OF DEFENSE.—The Secretary of Defense shall request that the Commandant of the Coast Guard issue any waiver under section 501 that the Secretary of Defense determines is necessary for purposes of this chapter.

''(e) VESSEL STANDARDS.—

''(1) CERTIFICATE OF INSPECTION.—A vessel used to provide oceangoing transportation that the Commandant of the Coast Guard determines meets the criteria of subsection (b) but which, on the date of enactment of this section, is not documented under chapter 121, shall be eligible for a certificate of inspection if the Commandant of the Coast Guard determines that—

''(A) the vessel is classed by and designed in accordance with the rules of the American Bureau of Shipping, or another classification society accepted by the Commandant of the Coast Guard;

''(B) the vessel complies with applicable international agreements and associated guidelines, as determined by the country in which the vessel was documented immediately before becoming documented under chapter 121; and

''(C) the country has not been identified by the Commandant of the Coast Guard as inadequately enforcing international vessel regulations as to that vessel.

''(2) RELIANCE ON CLASSIFICATION SOCIETY.—

''(A) IN GENERAL.—The Commandant of the Coast Guard may rely on a certification from the American Bureau of Shipping or, subject to subparagraph (B), another classification society accepted by the Commandant of the Coast Guard, to establish that a vessel is in compliance with the requirements of paragraph (1).

''(B) FOREIGN CLASSIFICATION SOCIETY.—The Secretary may accept certification from a foreign classification society under subparagraph (A) only—

''(i) to the extent that the government of the foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

''(ii) if the foreign classification society has offices and maintains records in the United States.

''§ 53203. Vessel standards

''(a) CERTIFICATE OF INSPECTION.—A vessel used to provide transportation service as a common carrier that the Secretary of Transportation determines meets the criteria of section 53102(b), which on the date of enactment of this section is not a documented vessel, shall be eligible for a certificate of inspection if the Secretary determines that—

''(1) the vessel is classed by and designed in accordance with the rules of the American Bureau of Shipping or another classification society accepted by the Secretary;

''(2) the vessel complies with applicable international agreements and associated guidelines, as determined by the country in which the vessel was documented immediately before becoming a documented vessel (as defined in that section); and

''(3) that country has not been identified by the Secretary as inadequately enforcing international vessel regulations as to that vessel.

''(b) CONTINUED ELIGIBILITY FOR CERTIFICATE.—Subsection (a) does not apply to any vessel that has failed to comply with the applicable international agreements and association guidelines referred to in subsection (a)(2).

''(c) RELIANCE ON CLASSIFICATION SOCIETY.—

''(1) IN GENERAL.—The Secretary may rely on a certification from the American Bureau of Shipping or, subject to paragraph (2), another classification society accepted by the Secretary, to establish that a vessel is in compliance with the requirements of subsections (a) and (b).

''(2) FOREIGN CLASSIFICATION SOCIETY.—The Secretary may accept certification from a foreign classification society under paragraph (1) only—

''(A) to the extent that the government of the foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

''(B) if the foreign classification society has offices and maintains records in the United States.

''§ 53204. Award of operating agreements

''(a) IN GENERAL.—The Secretary of Transportation shall require, as a condition of including any vessel in the Fleet, that the owner or operator of the vessel enter into an operating agreement with the Secretary under this section.

''(b) PROCEDURE FOR APPLICATIONS.—

''(1) PARTICIPATING FLEET VESSELS.—

''(A) IN GENERAL.—The Secretary of Transportation shall accept an application for an operating agreement for a participating Fleet vessel under the priority under paragraph (2) only from a person that has authority to enter into an operating agreement under this chapter.

''(B) VESSEL UNDER DEMISE CHARTER.—For purposes of subparagraph (A), in the case of a vessel that is subject to a demise charter that terminates by its own terms on September 30, 2035 (without giving effect to any extension provided therein for completion of a voyage or to effect the actual redelivery of the vessel), or that is terminable at the will of the owner of the vessel after such date, only the owner of the vessel shall be treated as having the authority referred to in subparagraph (A).

''(C) VESSEL OWNED BY A UNITED STATES CITIZEN TRUST.—For purposes of subparagraph (B), in the case of a vessel owned by a United States citizen trust, the term 'owner of the vessel' includes the beneficial owner of the vessel with respect to such trust.

''(2) DISCRETION WITHIN PRIORITY.—The Secretary of Transportation—

''(A) may award operating agreements under paragraph (1) according to such priorities as the Secretary considers appropriate; and

''(B) shall award operating agreements within any such priority—

''(i) in accordance with operational requirements specified by the Secretary of Defense;

''(ii) in the case of operating agreements awarded under subparagraph (B) of paragraph (1), according to applicants' records of owning and operating vessels; and

''(iii) subject to approval of the Secretary of Defense.

''(c) LIMITATION.—For any fiscal year, the Secretary may not award operating agreements under this chapter that require payments under section 53207 for more than 10 vessels.

"§ 53205. Effectiveness of operating agreements

''(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of Transportation may enter into an operating agreement under this chapter for fiscal year 2021 and any subsequent fiscal year. Each such agreement may be renewed annually for up to seven years.

''(b) VESSELS UNDER CHARTER TO THE UNITED STATES.—The owner or operator of a vessel under charter to the United States is eligible to receive payments pursuant to any operating agreement that covers such vessel.

''(c) TERMINATION.—

''(1) TERMINATION BY SECRETARY FOR LACK OF OWNER OR OPERATOR COMPLIANCE.—If the owner or operator with respect to an operating agreement materially fails to comply with the terms of the agreement—

''(A) the Secretary shall notify the owner or operator and provide a reasonable opportunity to comply with the operating agreement; and

''(B) the Secretary shall terminate the operating agreement if the owner or operator fails to achieve such compliance.

''(2) TERMINATION BY OWNER OR OPERATOR.—

''(A) IN GENERAL.—If an owner or operator provides notice of the intent to terminate an operating agreement under this chapter by not later than 60 days prior to the date specified by the owner or operator for such termination, such agreement shall terminate on the date specified by the owner or operator.

''(B) REPLACEMENT.—An operating agreement with respect to a vessel shall terminate on the date that is three years after the date on which the vessel begins operating under the agreement, if—

''(i) the owner or operator notifies the Secretary, by not later than two years after the date the vessel begins operating under the agreement, that the owner or operator intends to terminate the agreement under this subparagraph; and

''(ii) the Secretary of Transportation, in coordination with the Secretary of Defense, determines that—

''(I) an application for an operating agreement under this chapter has been received for a replacement vessel that is acceptable to the Secretaries; and

''(II) during the period of an operating agreement under this chapter that applies to the replacement vessel, the replacement vessel will be—

''(aa) owned and operated by one or more persons that are citizens of the United States under section 50501; or

''(bb) owned by a person who is eligible to document the vessel under chapter 121, and operated by a person that is a citizen of the United States under section 50501.

''(d) NONRENEWAL FOR LACK OF FUNDS.—

''(1) IN GENERAL.—If sufficient funds are not made available to carry out an operating agreement under this chapter—

''(A) the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives notice that such agreement shall be not renewed effective on the 60th day of the fiscal year, unless such funds are made available before such day; and

''(B) effective on the 60th day of such fiscal year, terminate such agreement and provide notice of such termination to the owner or operator of the vessel covered by the agreement.

''(2) RELEASE OF VESSELS FROM OBLIGATIONS.—If an operating agreement for a vessel under this chapter is not renewed pursuant to paragraph (1), then the owner or operator of the vessel is released from any further obligation under the operating agreement as of the date of such termination or nonrenewal.

''(3) FOREIGN TRANSFER AND REGISTRATION.—The owner or operator of a vessel covered by an operating agreement under this chapter may transfer and register such vessel under a foreign registry that is acceptable to the Secretary and the Secretary of Defense, notwithstanding section 53201.

''(4) REQUISITION.—If chapter 563 is applicable to a vessel after registration, then the vessel is available to be requisitioned by the Secretary pursuant to chapter 563.

"§ 53206. Obligations and rights under operating agreements

''(a) OPERATION OF VESSEL.—An operating agreement under this chapter shall require that, during the period the vessel covered by the agreement is operating under the agreement the vessel shall—

''(1) be operated in the United States foreign commerce, mixed United States foreign commerce and domestic trade allowed under a registry endorsement issued under section 12111, in foreign-to-foreign commerce, or under a charter to the United States;

''(2) not be operated in the coastwise trade except as described in paragraph (1); and

''(3) be documented under chapter 121.

''(b) OPERATING AGREEMENT IS AN OBLIGATION OF THE UNITED STATES GOVERNMENT.—An operating agreement under this chapter constitutes a contractual obligation of the United States Government to pay the amounts provided for in the agreement to the extent of actual appropriations.

''(c) OBLIGATIONS OF OWNER OR OPERATOR.—

''(1) IN GENERAL.—The owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of such agreement, to remain obligated to carry out the requirements described in paragraph (2) until the termination date specified in the agreement, even in the case of early termination of the agreement under section 53205(c). This subsection shall not apply in the case of an operating agreement terminated for lack of funds under section 53205(d).

''(2) REQUIREMENTS.—The requirements described in this paragraph are the following:

''(A) To continue the documentation of the vessel under chapter 121.

''(B) To be bound by the requirements of section 53208.

''(C) That all terms and conditions of an emergency preparedness agreement entered into under section 53208 shall remain in effect, except that the terms of such emergency preparedness agreement may be modified by the mutual consent of the owner or operator, the Secretary and the Secretary of Defense as provided in such section.

''(d) TRANSFER OF OPERATING AGREEMENTS.—The owner or operator of a vessel covered by an operating agreement under this chapter may transfer that agreement (including all rights and obligations under the agreement) to any person that is eligible to enter into that operating agreement under this chapter, if the transfer is approved by the Secretary of Transportation and the Secretary of Defense.

''(e) REPLACEMENT OF VESSELS COVERED BY AGREEMENTS.—An owner or operator of a vessel covered by an operating agreement under this chapter may replace the vessel with another vessel that is eligible to be included in the Fleet under section 53202(b), if the Secretary of Transportation, in coordination with the Secretary of Defense, approves the replacement of the vessel. In selecting a replacement vessel, the owner or operator shall give primary consideration to—

''(1) the commercial viability of the vessel;

''(2) the utility of the vessel with respect to the operating requirements of the owner or operator; and

''(3) ensuring that the commercial and military utility of any replacement vessel is not less than that of the initial vessel.

"§ 53207. Payments

''(a) ANNUAL PAYMENT.—Subject to the availability of appropriations for such purpose and the other provisions of this chapter, the Secretary shall pay to the owner or operator of a vessel covered by an operating agreement under this chapter an amount equal to $6,000,000 for each vessel covered by the agreement for each fiscal year that the vessel is covered by the agreement. Such amount shall be paid in equal monthly installments on the last day of each month. The amount payable under this subsection may not be reduced except as provided by this section.

''(b) CERTIFICATION REQUIRED FOR PAYMENT.—As a condition of receiving payment under this section for a fiscal year for a vessel, the owner or operator of the vessel shall certify, in accordance with regulations issued by the Secretary, that the vessel has been and will be operated in accordance with section 53206 for at least 320 days during the fiscal year. Days during which the vessel is drydocked, surveyed, inspected, or repaired shall be considered days of operation for purposes of this subsection.

''(c) GENERAL LIMITATIONS.—The Secretary may not make any payment under this chapter for a vessel with respect to any days for which the vessel is—

''(1) not operated or maintained in accordance with an operating agreement under this chapter; or

''(2) more than 25 years of age.

''(d) REDUCTIONS IN PAYMENTS.—With respect to payments under this chapter for a vessel covered by an operating agreement, the Secretary—

''(1) except as provided in paragraph (2), may not reduce such a payment for the operation of the vessel to carry military or other preference cargoes under section 55302(a), 55304, 55305, or 55314, section 2631 of title 10, or any other cargo preference law of the United States;

''(2) may not make such a payment for any day that the vessel is engaged in transporting more than 7,500 tons of civilian bulk preference cargoes pursuant to section 55302(a), 55305, or 55314, that is bulk cargo; and

''(3) shall make a pro rata reduction for each day less than 320 in a fiscal year that the vessel is not operated in accordance with section 53206.

''(e) LIMITATIONS REGARDING NONCONTIGUOUS DOMESTIC TRADE.—

''(1) IN GENERAL.—No owner or operator shall receive payments pursuant to this chapter during a period in which it participates in noncontiguous domestic trade.

''(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to a owner or operator that is a citizen of the United States within the meaning of section 50501, applying the 75 percent ownership requirement of that section.

''(3) PARTICIPATES IN A NONCONTIGUOUS TRADE DEFINED.—In this subsection the term 'participates in a noncontiguous domestic trade' means directly or indirectly owns, charters, or operates a vessel engaged in transportation of cargo between a point in the contiguous 48 States and a point in Alaska, Hawaii, or Puerto Rico, other than a point in Alaska north of the Arctic Circle.

"§ 53208. National security requirements

''(a) EMERGENCY PREPAREDNESS AGREEMENT REQUIRED.—The Secretary of Transportation, in coordination with the Secretary of Defense, shall establish an emergency preparedness program under this section under which the owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of the operating agreement, to enter into an emergency preparedness agreement with the Secretaries. Each such emergency preparedness agreement shall be entered into as promptly as practicable after the owner or operator has entered into the operating agreement.

''(b) TERMS OF AGREEMENT.—The terms of an agreement under this section—

''(1) shall provide that upon request by the Secretary of Defense during time of war or national emergency, or whenever determined by the Secretary of Defense to be necessary for national security or contingency operation (as that term is defined in section 101 of title 10), the owner or operator shall make available commercial transportation resources (including services) described in subsection (d) to the Secretary of Defense;

''(2) shall include such additional terms as may be established by the Secretary of Transportation and the Secretary of Defense; and

''(3) shall allow for the modification or addition of terms upon agreement by the Secretary of Transportation and the owner or operator and the approval by the Secretary of Defense.

''(c) PARTICIPATION AFTER EXPIRATION OF OPERATING AGREEMENT.—Except as provided by section 53206, the Secretary may not require, through an emergency preparedness agreement or an operating agreement, that an owner or operator of a vessel covered by an operating agreement continue to participate in an emergency preparedness agreement after the operating agreement has expired according to its terms or is otherwise no longer in effect. After the expiration of an emergency preparedness agreement, a owner or operator may voluntarily continue to participate in the agreement.

''(d) RESOURCES MADE AVAILABLE.—The commercial transportation resources to be made available under an emergency preparedness agreement shall include vessels or capacity in vessels, terminal facilities, management services, and other related services, or any agreed portion of such nonvessel resources for activation as the Secretary of Defense may determine to be necessary, seeking to minimize disruption of the owner or operator's service to commercial customers.

''(e) COMPENSATION.—

''(1) IN GENERAL.—Each emergency preparedness agreement under this section shall provide that the Secretary of Defense shall pay fair and reasonable compensation for all commercial transportation resources provided pursuant to this section.

''(2) SPECIFIC REQUIREMENTS.—Compensation under this subsection—

''(A) shall not be less than the owner or operator's commercial market charges for like transportation resources;

''(B) shall be fair and reasonable considering all circumstances;

''(C) shall be provided from the time that a vessel or resource is required by the Secretary of Defense until the time it is redelivered to the owner or operator and is available to reenter commercial service; and

''(D) shall be in addition to and shall not in any way reflect amounts payable under section 53207.

''(f) TEMPORARY REPLACEMENT VESSELS.—Notwithstanding section 55302(a), 55304, 55305, or 55314, section 2631 of title 10, or any other cargo preference law of the United States—

''(1) an owner or operator may operate or employ in foreign commerce a foreign-flag vessel or foreign-flag vessel capacity as a temporary replacement for a vessel of the United States or vessel of the United States capacity that is activated by the Secretary of Defense under an emergency preparedness agreement or a primary Department of Defense sealift readiness program; and

''(2) such replacement vessel or vessel capacity shall be eligible during the replacement period to transport preference cargoes subject to sections 55302(a), 55304, 55305, and 55314 and section 2631 of title 10 to the same extent as the eligibility of the vessel or vessel capacity replaced.

''(g) REDELIVERY AND LIABILITY OF THE UNITED STATES FOR DAMAGES.—

''(1) IN GENERAL.—All commercial transportation resources activated under an emergency preparedness agreement shall, upon termination of the period of activation, be redelivered to the owner or operator in the same good order and condition as when received, less ordinary wear and tear, or the Secretary of Defense shall fully compensate the owner or operator for any necessary repair or replacement.

''(2) LIMITATION ON UNITED STATES LIABILITY.—Except as may be expressly agreed in an emergency preparedness agreement, or as otherwise provided by law, the Government shall not be liable for disruption of an owner or operator's commercial business or other consequential damages to an owner or operator arising from the activation of commercial transportation resources under an emergency preparedness agreement.

"§ 53209. Regulatory relief

''(a) OPERATION IN FOREIGN COMMERCE.—An owner or operator for a vessel included in an operating agreement under this chapter may operate the vessel in the foreign commerce of the United States without restriction.

''(b) OTHER RESTRICTIONS.—The restrictions of section 55305(a) concerning the building, rebuilding, or documentation of a vessel in a foreign country shall not apply to a vessel for any day the operator of the vessel is receiving payments for the operation of that vessel under an operating agreement under this chapter.

''(c) TELECOMMUNICATIONS EQUIPMENT.—The telecommunications and other electronic equipment on an existing vessel that is redocumented under the laws of the United States for operation under an operating agreement under this chapter shall be deemed to satisfy all Federal Communications Commission equipment certification requirements, if—

''(1) such equipment complies with all applicable international agreements and associated guidelines as determined by the country in which the vessel was documented immediately before becoming documented under the laws of the United States;

''(2) that country has not been identified by the Secretary as inadequately enforcing international regulations as to that vessel; and

''(3) at the end of its useful life, such equipment shall be replaced with equipment that meets Federal Communications Commission equipment certification standards.

"§ 53210. Special rule regarding age of participating Fleet vessels

''Any age restriction under section 53202(b)(4) shall not apply to a participating Fleet vessel during the 30-month period beginning on the date the vessel begins operating under an operating agreement under this chapter, if the Secretary of Transportation determines that the owner or operator of the vessel has entered into an arrangement to obtain and operate under the operating agreement for the participating Fleet vessel a replacement vessel that, upon commencement of such operation, will be eligible to be included in the Fleet under section 53202(b).

"§ 53211. Regulations

''The Secretary of Transportation and the Secretary of Defense may each prescribe rules as necessary to carry out their respective responsibilities under this chapter.

"§ 53212. Authorization of appropriations

''There is authorized to be appropriated for payments under section 53207, $60,000,000 for each of fiscal years 2021 through 2035, to remain available until expended.

"§ 53213. Acquisition of Fleet vessels

''(a) IN GENERAL.—Upon replacement of a Fleet vessel under an operating agreement under this chapter, and subject to agreement by the owner or operator of the vessel, the Secretary of Transportation may, subject to the concurrence of the Secretary of Defense, acquire the vessel being replaced for inclusion in the National Defense Reserve Fleet.

''(b) REQUIREMENTS.—To be eligible for acquisition by the Secretary of Transportation under this section a vessel shall—

''(1) have been covered by an operating agreement under this chapter for not less than three years; and

''(2) meet recapitalization requirements for the Ready Reserve Force.

''(c) FAIR MARKET VALUE.—A fair market value shall be established by the Maritime Administration for acquisition of an eligible vessel under this section.

''(d) APPROPRIATIONS.—Vessel acquisitions under this section shall be subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts authorized to be appropriated for the National Defense Reserve Fleet. Amounts authorized to be appropriated to carry out the Maritime Security Program may not be use to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle VII of title 46, United States Code, is amended by adding at the end the following:

''532. Tanker Security Fleet ..... 53201''.

(c) DEADLINE FOR ACCEPTING APPLICATIONS.—

(1) IN GENERAL.—The Secretary of Transportation shall begin accepting applications for enrollment of vessels in the Tanker Security Fleet established under chapter 532 of title 46, United States Code, as added by subsection (a), by not later than 30 days after the date of the enactment of this Act.

(2) APPROVAL.—Not later than 90 days after receipt of an application for the enrollment of a vessel in the Tanker Security Fleet, the Secretary, in coordination with the Secretary of Defense, shall—

(A) approve the application and enter into an operating agreement with the applicant; or

(B) provide to the applicant a written explanation for the denial of the application.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings

under section 1001 or section 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	MQ–1 UAV		75,000
	Additional aircraft		[75,000]
003	FUTURE UAS FAMILY	1,100	1,100
004	RQ–11 (RAVEN)	20,851	20,851
	ROTARY		
007	AH–64 APACHE BLOCK IIIA REMAN	792,027	792,027
008	AH–64 APACHE BLOCK IIIA REMAN AP	169,460	169,460
011	UH–60 BLACKHAWK M MODEL (MYP)	742,998	725,298
	Unjustified costs		[–17,700]
012	UH–60 BLACKHAWK M MODEL (MYP) AP	87,427	87,427
013	UH–60 BLACK HAWK L AND V MODELS	172,797	172,797
014	CH–47 HELICOPTER	160,750	266,850
	Program increase		[136,000]
	Unjustified cost growth		[–29,900]
015	CH–47 HELICOPTER AP	18,372	47,372
	Program increase		[29,000]
	MODIFICATION OF AIRCRAFT		
018	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	7,509	7,509
019	GRAY EAGLE MODS2	16,280	16,280
020	MULTI SENSOR ABN RECON (MIP)	35,864	35,864
021	AH–64 MODS	118,316	113,216
	Unjustified cost growth—M-DSA		[–5,100]
022	CH–47 CARGO HELICOPTER MODS (MYP)	15,548	15,548
023	GRCS SEMA MODS (MIP)	2,947	2,947
024	ARL SEMA MODS (MIP)	9,598	9,598
025	EMARSS SEMA MODS (MIP)	2,452	2,452
026	UTILITY/CARGO AIRPLANE MODS	13,868	13,868
027	UTILITY HELICOPTER MODS	25,842	31,342
	Program increase		[5,500]
028	NETWORK AND MISSION PLAN	77,432	77,432
029	COMMS, NAV SURVEILLANCE	101,355	101,355
031	AVIATION ASSURED PNT	54,609	54,609
032	GATM ROLLUP	12,180	12,180
034	UAS MODS	4,204	4,204
	GROUND SUPPORT AVIONICS		
035	AIRCRAFT SURVIVABILITY EQUIPMENT	49,455	49,455
036	SURVIVABILITY CM	8,035	8,035
037	CMWS	10,567	10,567
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	237,467	237,467
	OTHER SUPPORT		
039	AVIONICS SUPPORT EQUIPMENT	1,789	1,789
040	COMMON GROUND EQUIPMENT	17,584	17,584
041	AIRCREW INTEGRATED SYSTEMS	48,265	48,265
042	AIR TRAFFIC CONTROL	26,408	26,408
044	LAUNCHER, 2.75 ROCKET	2,256	2,256
045	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	8,982	8,982
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,074,594**	**3,267,394**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	M-SHORAD—PROCUREMENT	378,654	378,654
003	MSE MISSILE	603,188	603,188
004	PRECISION STRIKE MISSILE (PRSM)	49,941	42,441
	Contract delay		[–7,500]
005	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	106,261	25,011
	Army identified funds excess to need		[–40,500]
	Funding excess to need		[–40,750]
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	91,225	91,225
007	JOINT AIR-TO-GROUND MSLS (JAGM)	213,397	213,397
008	LONG RANGE PRECISION MUNITION	45,307	45,307
	ANTI-TANK/ASSAULT MISSILE SYS		
009	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
010	TOW 2 SYSTEM SUMMARY	121,074	121,074
011	GUIDED MLRS ROCKET (GMLRS)	850,157	850,157
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	30,836	30,836
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	41,226	41,226
	MODIFICATIONS		
016	PATRIOT MODS	278,050	278,050
017	ATACMS MODS	141,690	141,690
020	AVENGER MODS	13,942	13,942
021	ITAS/TOW MODS	5,666	5,666
022	MLRS MODS	310,419	310,419
023	HIMARS MODIFICATIONS	6,081	6,081

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	SPARES AND REPAIR PARTS		
024	SPARES AND REPAIR PARTS	5,090	5,090
	SUPPORT EQUIPMENT & FACILITIES		
025	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	**3,491,507**	**3,402,757**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Prior year carry-over		[–80,000]
	Program increase		[60,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER UPGRADE	847,212	1,183,052
	CROWS-J program delay		[–39,160]
	Program increase—Army UPL		[375,000]
005	BRADLEY PROGRAM (MOD)	493,109	435,759
	Prior year carry-over		[–17,350]
	UBIS early to need		[–40,000]
006	M109 FOV MODIFICATIONS	26,893	21,893
	Prior year carryover		[–5,000]
007	PALADIN INTEGRATED MANAGEMENT (PIM)	435,825	435,825
009	ASSAULT BRIDGE (MOD)	5,074	5,074
010	ASSAULT BREACHER VEHICLE	19,500	19,500
011	M88 FOV MODS	18,382	13,082
	Program reduction		[–5,300]
012	JOINT ASSAULT BRIDGE	72,178	61,878
	Program delay		[–10,300]
013	M1 ABRAMS TANK (MOD)	392,013	386,278
	Prior year carry-over		[–5,735]
014	ABRAMS UPGRADE PROGRAM	1,033,253	1,020,396
	Component cost savings		[–3,480]
	Prior year carry-over		[–9,377]
	WEAPONS & OTHER COMBAT VEHICLES		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	17,864	17,864
018	MORTAR SYSTEMS	10,288	10,288
019	XM320 GRENADE LAUNCHER MODULE (GLM)	5,969	5,969
020	PRECISION SNIPER RIFLE	10,137	10,137
021	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	999	999
022	CARBINE	7,411	7,411
023	NEXT GENERATION SQUAD WEAPON	35,822	35,822
024	COMMON REMOTELY OPERATED WEAPONS STATION	24,534	24,534
025	HANDGUN	4,662	4,662
	MOD OF WEAPONS AND OTHER COMBAT VEH		
026	MK–19 GRENADE MACHINE GUN MODS	6,444	6,444
027	M777 MODS	10,983	10,983
028	M4 CARBINE MODS	4,824	4,824
031	M240 MEDIUM MACHINE GUN MODS	6,385	6,385
032	SNIPER RIFLES MODIFICATIONS	1,898	1,898
033	M119 MODIFICATIONS	2,009	2,009
034	MORTAR MODIFICATION	1,689	1,689
035	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,604	2,604
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,763	2,763
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,696,740**	**3,916,038**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	68,472	68,472
002	CTG, 7.62MM, ALL TYPES	109,933	109,933
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	11,988	11,988
004	CTG, HANDGUN, ALL TYPES	853	853
005	CTG, .50 CAL, ALL TYPES	58,280	58,280
006	CTG, 20MM, ALL TYPES	31,708	31,708
007	CTG, 25MM, ALL TYPES	9,111	9,111
008	CTG, 30MM, ALL TYPES	58,172	58,172
009	CTG, 40MM, ALL TYPES	114,638	114,638
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	31,222	31,222
011	81MM MORTAR, ALL TYPES	42,857	42,857
012	120MM MORTAR, ALL TYPES	107,762	107,762
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	35,963	35,963
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	293,692	283,692
	Program delays		[–10,000]
016	PROJ 155MM EXTENDED RANGE M982	69,159	69,159
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	232,913	232,913
	MINES		
018	MINES & CLEARING CHARGES, ALL TYPES	65,278	62,778
	Program decrease		[–2,500]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
019	CLOSE TERRAIN SHAPING OBSTACLE	4,995	2,995
	Program reduction		[–2,000]
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	69,112	61,612
	Prior year carryover		[–7,500]
021	ROCKET, HYDRA 70, ALL TYPES	125,915	125,915
	OTHER AMMUNITION		
022	CAD/PAD, ALL TYPES	8,891	8,891
023	DEMOLITION MUNITIONS, ALL TYPES	54,043	54,043
024	GRENADES, ALL TYPES	28,931	28,931
025	SIGNALS, ALL TYPES	27,036	27,036
026	SIMULATORS, ALL TYPES	10,253	10,253
	MISCELLANEOUS		
027	AMMO COMPONENTS, ALL TYPES	3,476	3,476
029	ITEMS LESS THAN $5 MILLION (AMMO)	10,569	10,569
030	AMMUNITION PECULIAR EQUIPMENT	12,338	12,338
031	FIRST DESTINATION TRANSPORTATION (AMMO)	15,908	15,908
032	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
033	INDUSTRIAL FACILITIES	592,224	696,724
	Program increase		[104,500]
034	CONVENTIONAL MUNITIONS DEMILITARIZATION	235,112	235,112
035	ARMS INITIATIVE	3,369	3,369
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,777,716**	**2,860,216**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	12,986	12,986
002	SEMITRAILERS, FLATBED:	31,443	31,443
003	SEMITRAILERS, TANKERS	17,082	17,082
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	44,795	44,795
005	GROUND MOBILITY VEHICLES (GMV)	37,932	37,932
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	894,414	894,414
009	TRUCK, DUMP, 20T (CCE)	29,368	29,368
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,092	95,092
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	999	999
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	27,687	27,687
014	PLS ESP	21,969	21,969
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	65,635	132,635
	Program increase		[67,000]
016	HMMWV RECAPITALIZATION PROGRAM	5,927	5,927
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	36,497	36,497
018	MODIFICATION OF IN SVC EQUIP	114,977	114,977
	NON-TACTICAL VEHICLES		
020	PASSENGER CARRYING VEHICLES	1,246	1,246
021	NONTACTICAL VEHICLES, OTHER	19,870	19,870
	COMM—JOINT COMMUNICATIONS		
022	SIGNAL MODERNIZATION PROGRAM	160,469	150,469
	Unit cost growth		[–10,000]
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	360,379	337,879
	Program delays		[–10,000]
	Unit cost growth		[–12,500]
024	SITUATION INFORMATION TRANSPORT	63,396	63,396
026	JCSE EQUIPMENT (USRDECOM)	5,170	5,170
	COMM—SATELLITE COMMUNICATIONS		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,498	101,498
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	72,450	64,950
	Program delays		[–7,500]
031	SHF TERM	13,173	13,173
032	ASSURED POSITIONING, NAVIGATION AND TIMING	134,928	134,928
033	SMART-T (SPACE)	8,611	8,611
034	GLOBAL BRDCST SVC—GBS	8,191	8,191
	COMM—C3 SYSTEM		
036	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,871	94,871
	COMM—COMBAT COMMUNICATIONS		
037	HANDHELD MANPACK SMALL FORM FIT (HMS)	550,848	550,848
038	RADIO TERMINAL SET, MIDS LVT(2)	8,237	8,237
041	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	13,967	0
	Program cancellation		[–13,967]
043	UNIFIED COMMAND SUITE	19,579	19,579
044	COTS COMMUNICATIONS EQUIPMENT	94,156	94,156
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	18,313	18,313
046	ARMY COMMUNICATIONS & ELECTRONICS	51,480	51,480
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
049	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
	INFORMATION SECURITY		
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	4,596	4,596
052	COMMUNICATIONS SECURITY (COMSEC)	159,272	149,272
	Program decrease		[–10,000]
053	DEFENSIVE CYBER OPERATIONS	54,753	54,753
054	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,760	1,760

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
056	ITEMS LESS THAN $5M (INFO SECURITY)	260	260
	COMM—LONG HAUL COMMUNICATIONS		
057	BASE SUPPORT COMMUNICATIONS	29,761	29,761
	COMM—BASE COMMUNICATIONS		
058	INFORMATION SYSTEMS	147,696	147,696
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,900	4,900
060	HOME STATION MISSION COMMAND CENTERS (HSMCC)	15,227	15,227
061	JOINT INFORMATION ENVIRONMENT (JIE)	3,177	3,177
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	280,035
	Unjustified growth		[–20,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M (MIP)	5,304	5,304
066	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP)	8,081	8,081
068	DCGS-A (MIP)	151,886	151,886
070	TROJAN (MIP)	17,593	17,593
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	28,558	28,558
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	999	999
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	5,332	5,332
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,849	7,849
077	AIR VIGILANCE (AV) (MIP)	8,160	8,160
079	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	8,669	8,669
082	CI MODERNIZATION (MIP)	300	300
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
083	SENTINEL MODS	58,884	58,884
084	NIGHT VISION DEVICES	1,127,375	897,375
	IVAS reduction		[–230,000]
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,954	13,954
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	10,069	10,069
089	FAMILY OF WEAPON SIGHTS (FWS)	133,590	115,090
	Program decrease		[–18,500]
091	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	243,850	226,350
	Program delays		[–17,500]
092	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,641	50,541
	Early to need		[–19,100]
094	COMPUTER BALLISTICS: LHMBC XM32	7,509	7,509
095	MORTAR FIRE CONTROL SYSTEM	3,800	3,800
096	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,292	7,292
097	COUNTERFIRE RADARS	72,421	71,421
	Excess to need		[–1,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
098	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	49,947	49,947
099	FIRE SUPPORT C2 FAMILY	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	47,374	47,374
101	IAMD BATTLE COMMAND SYSTEM	201,587	191,587
	Program reduction		[–10,000]
102	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,495	4,495
103	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,651	18,651
105	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	2,792	2,792
106	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	9,071	9,071
107	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	12,117	12,117
108	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,004	5,004
	Program increase		[2,000]
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	8,983
	Program reduction		[–8,000]
	CLASSIFIED PROGRAMS		
19A	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	28,456
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	99,069
	Program reduction		[–10,000]
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION	36,584	36,584

SEC. 4101. PROCUREMENT
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Line	Item	FY 2021 Request	House Authorized
135	ROBOTICS AND APPLIQUE SYSTEMS	179,544	174,744
	SMET contract delay		[–4,800]
137	RENDER SAFE SETS KITS OUTFITS	64,583	64,583
139	FAMILY OF BOATS AND MOTORS	5,289	5,289
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	8,200	8,200
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,625	4,625
143	GROUND SOLDIER SYSTEM	154,937	154,937
144	MOBILE SOLDIER POWER	34,297	34,297
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	53,021	53,021
148	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	23,324	23,324
149	ITEMS LESS THAN $5M (ENG SPT)	8,014	8,014
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,448	78,448
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	59,485	64,485
	Future Warfighter Shelter		[5,000]
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN $5.0M (MAINT EQ)	5,386	5,386
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	1,844	1,844
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	16,145	16,145
	TRAINING EQUIPMENT		
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	73,578
	Program reduction		[–5,000]
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	72,299
	Early to need		[–3,200]
182	BASE LEVEL COMMON EQUIPMENT	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	32,485	32,485
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	39,436	39,436
	OPA2		
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	**8,625,206**	**8,288,139**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A–18E/F (FIGHTER) HORNET	1,761,146	1,761,146
002	F/A–18E/F (FIGHTER) HORNET AP		28,100
	FY22 aircraft		[28,100]
003	JOINT STRIKE FIGHTER CV	2,181,780	2,106,680
	Excess depot standup funding		[–6,500]
	F135 affordability challenges		[–21,000]
	Lot 15 target cost savings		[–41,600]
	Unjustified ALIS funding		[–6,000]
004	JOINT STRIKE FIGHTER CV AP	330,386	330,386
005	JSF STOVL	1,109,393	1,053,893
	Excess depot standup funding		[–5,000]
	F135 affordability challenges		[–15,000]
	Lot 15 target cost savings		[–18,000]
	Unjustified ALIS funding		[–10,000]
	Unjustified production engineering support		[–7,500]
006	JSF STOVL AP	303,035	303,035
007	CH–53K (HEAVY LIFT)	813,324	813,324
008	CH–53K (HEAVY LIFT) AP	201,188	201,188
009	V–22 (MEDIUM LIFT)	934,793	1,146,193
	Navy UPL		[211,400]
010	V–22 (MEDIUM LIFT) AP	39,547	39,547
011	H–1 UPGRADES (UH–1Y/AH–1Z)	7,267	7,267

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(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
013	P–8A POSEIDON	80,134	1,020,034
	Line shutdown early to need		[–80,100]
	Six additional aircraft		[1,020,000]
015	E–2D ADV HAWKEYE	626,109	626,109
016	E–2D ADV HAWKEYE AP	123,166	123,166
	TRAINER AIRCRAFT		
017	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
018	KC–130J	380,984	380,984
019	KC–130J AP	67,022	67,022
021	MQ–4 TRITON	150,570	280,570
	One additional aircraft		[130,000]
023	MQ–8 UAV	40,375	40,375
024	STUASL0 UAV	30,930	30,930
026	VH–92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		
028	F–18 A-D UNIQUE	208,261	208,261
029	F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM	468,954	468,954
030	AEA SYSTEMS	21,061	21,061
031	AV–8 SERIES	34,082	34,082
032	INFRARED SEARCH AND TRACK (IRST)	158,055	158,055
033	ADVERSARY	42,946	42,946
034	F–18 SERIES	379,351	379,351
035	H–53 SERIES	74,771	74,771
036	MH–60 SERIES	131,584	136,584
	Program increase		[5,000]
037	H–1 SERIES	185,140	185,140
038	EP–3 SERIES	26,602	26,602
040	E–2 SERIES	175,540	175,540
041	TRAINER A/C SERIES	7,085	7,085
042	C–2A	9,525	9,525
043	C–130 SERIES	141,705	141,705
044	FEWSG	684	684
045	CARGO/TRANSPORT A/C SERIES	8,911	8,911
046	E–6 SERIES	197,206	197,206
047	EXECUTIVE HELICOPTERS SERIES	29,086	29,086
049	T–45 SERIES	155,745	155,745
050	POWER PLANT CHANGES	24,633	24,633
051	JPATS SERIES	22,682	22,682
052	AVIATION LIFE SUPPORT MODS	40,401	40,401
053	COMMON ECM EQUIPMENT	138,480	138,480
054	COMMON AVIONICS CHANGES	143,322	143,322
055	COMMON DEFENSIVE WEAPON SYSTEM	2,142	2,142
056	ID SYSTEMS	35,999	35,999
057	P–8 SERIES	180,530	180,530
058	MAGTF EW FOR AVIATION	27,794	27,794
059	MQ–8 SERIES	28,774	28,774
060	V–22 (TILT/ROTOR ACFT) OSPREY	334,405	334,405
061	NEXT GENERATION JAMMER (NGJ)	176,638	176,638
062	F–35 STOVL SERIES	153,588	146,388
	Block IV/TR3 upgrade delays		[–7,200]
063	F–35 CV SERIES	105,452	99,552
	Block IV/TR3 upgrade delays		[–5,900]
064	QRC	126,618	126,618
065	MQ–4 SERIES	12,998	12,998
066	RQ–21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
070	SPARES AND REPAIR PARTS	2,198,460	2,198,460
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
071	COMMON GROUND EQUIPMENT	543,559	543,559
072	AIRCRAFT INDUSTRIAL FACILITIES	75,685	75,685
073	WAR CONSUMABLES	40,633	40,633
074	OTHER PRODUCTION CHARGES	21,194	21,194
075	SPECIAL SUPPORT EQUIPMENT	155,179	155,179
076	FIRST DESTINATION TRANSPORTATION	2,121	2,121
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,127,378**	**18,298,078**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
003	TOMAHAWK	277,694	277,694
	TACTICAL MISSILES		
004	AMRAAM	326,952	326,952
005	SIDEWINDER	126,485	126,485
007	STANDARD MISSILE	456,206	456,206
008	STANDARD MISSILE AP	66,716	66,716
009	SMALL DIAMETER BOMB II	78,867	78,867
010	RAM	90,533	90,533
011	JOINT AIR GROUND MISSILE (JAGM)	49,386	49,386

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Line	Item	FY 2021 Request	House Authorized
014	AERIAL TARGETS	174,336	174,336
015	DRONES AND DECOYS	41,256	41,256
016	OTHER MISSILE SUPPORT	3,501	3,501
017	LRASM	168,845	168,845
018	LCS OTH MISSILE	32,910	32,910
	MODIFICATION OF MISSILES		
019	TOMAHAWK MODS	164,915	164,915
020	ESSM	215,375	206,475
	Excessive production support growth		[–8,900]
022	HARM MODS	147,572	147,572
023	STANDARD MISSILES MODS	83,654	17,254
	SM–2 Blk IIC excessive concurrency		[–66,400]
	SUPPORT EQUIPMENT & FACILITIES		
024	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
025	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
027	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
028	SSTD	5,811	5,811
029	MK–48 TORPEDO	284,901	284,901
030	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
031	MK–54 TORPEDO MODS	110,286	110,286
032	MK–48 TORPEDO ADCAP MODS	57,214	57,214
033	MARITIME MINES	5,832	5,832
	SUPPORT EQUIPMENT		
034	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
035	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
036	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
037	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
038	CIWS MODS	37,147	37,147
039	COAST GUARD WEAPONS	45,804	45,804
040	GUN MOUNT MODS	74,427	74,427
041	LCS MODULE WEAPONS	4,253	4,253
042	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,662	6,662
	SPARES AND REPAIR PARTS		
045	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,884,995**	**4,809,695**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	41,496	41,496
002	JDAM	64,631	64,631
003	AIRBORNE ROCKETS, ALL TYPES	60,719	60,719
004	MACHINE GUN AMMUNITION	11,158	11,158
005	PRACTICE BOMBS	51,409	51,409
006	CARTRIDGES & CART ACTUATED DEVICES	64,694	64,694
007	AIR EXPENDABLE COUNTERMEASURES	51,523	51,523
008	JATOS	6,761	6,761
009	5 INCH/54 GUN AMMUNITION	31,517	31,517
010	INTERMEDIATE CALIBER GUN AMMUNITION	38,005	38,005
011	OTHER SHIP GUN AMMUNITION	40,626	40,626
012	SMALL ARMS & LANDING PARTY AMMO	48,202	48,202
013	PYROTECHNIC AND DEMOLITION	9,766	9,766
015	AMMUNITION LESS THAN $5 MILLION	2,115	2,115
	MARINE CORPS AMMUNITION		
016	MORTARS	46,781	46,781
017	DIRECT SUPPORT MUNITIONS	119,504	79,662
	USMC identified funds excess to need		[–39,842]
018	INFANTRY WEAPONS AMMUNITION	83,220	83,220
019	COMBAT SUPPORT MUNITIONS	32,650	32,650
020	AMMO MODERNIZATION	15,144	15,144
021	ARTILLERY MUNITIONS	59,539	59,539
022	ITEMS LESS THAN $5 MILLION	4,142	4,142
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**883,602**	**843,760**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
002	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,123,175
	OTHER WARSHIPS		
003	CARRIER REPLACEMENT PROGRAM	997,544	907,544
	Full funding early to need		[–90,000]
004	CVN–81	1,645,606	1,465,606
	Full funding early to need		[–180,000]
005	VIRGINIA CLASS SUBMARINE	2,334,693	4,630,693
	Restore second Virginia-class SSN		[2,296,000]
006	VIRGINIA CLASS SUBMARINE	1,901,187	2,173,187
	Restore second Virginia-class SSN		[272,000]

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(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
007	CVN REFUELING OVERHAULS	1,878,453	1,878,453
008	CVN REFUELING OVERHAULS AP	17,384	17,384
009	DDG 1000	78,205	78,205
010	DDG–51	3,040,270	3,040,270
011	DDG–51 AP	29,297	29,297
013	FFG-FRIGATE	1,053,123	954,523
	Anticipated learning curve		[–98,600]
	AMPHIBIOUS SHIPS		
014	LPD FLIGHT II	1,155,801	1,118,101
	Excessive unit cost growth		[–37,700]
019	EXPEDITIONARY FAST TRANSPORT (EPF)		260,000
	One additional ship		[260,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
022	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	168,209	168,209
023	LCU 1700	87,395	87,395
024	OUTFITTING	825,586	825,586
026	SERVICE CRAFT	249,781	249,781
027	LCAC SLEP	56,461	56,461
028	COMPLETION OF PY SHIPBUILDING PROGRAMS	369,112	369,112
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**19,902,757**	**22,324,457**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	11,738	11,738
	GENERATORS		
002	SURFACE COMBATANT HM&E	58,497	58,497
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	74,084	74,084
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	204,806	204,806
005	DDG MOD	547,569	531,169
	Excessive CSSQT cost growth		[–16,400]
006	FIREFIGHTING EQUIPMENT	18,394	18,394
007	COMMAND AND CONTROL SWITCHBOARD	2,374	2,374
008	LHA/LHD MIDLIFE	78,265	78,265
009	POLLUTION CONTROL EQUIPMENT	23,035	23,035
010	SUBMARINE SUPPORT EQUIPMENT	64,632	60,132
	Excess cost growth		[–4,500]
011	VIRGINIA CLASS SUPPORT EQUIPMENT	22,868	22,868
012	LCS CLASS SUPPORT EQUIPMENT	3,976	3,976
013	SUBMARINE BATTERIES	31,322	31,322
014	LPD CLASS SUPPORT EQUIPMENT	50,475	55,475
	Electronic actuator pilot program		[5,000]
015	DDG 1000 CLASS SUPPORT EQUIPMENT	42,279	36,779
	Excess cost growth		[–5,500]
016	STRATEGIC PLATFORM SUPPORT EQUIP	15,429	15,429
017	DSSP EQUIPMENT	2,918	2,918
018	CG MODERNIZATION	87,978	87,978
019	LCAC	9,366	9,366
020	UNDERWATER EOD EQUIPMENT	16,842	16,842
021	ITEMS LESS THAN $5 MILLION	105,715	95,715
	Cost growth		[–10,000]
022	CHEMICAL WARFARE DETECTORS	3,044	3,044
023	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
	REACTOR PLANT EQUIPMENT		
024	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	400,621
	LCS in-service modernization excess cost growth		[–12,100]
	Realignment to OPN–24A for Shipyard Infrastructure Optimization Plan		[–198,000]
	Transfer to O&M for ship depot maintenance		[–650,000]
024A	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN		198,000
	Realignment from OPN–24 for Shipyard Infrastructure Optimization Plan		[198,000]
025	REACTOR POWER UNITS	5,305	5,305
026	REACTOR COMPONENTS	415,404	415,404
	OCEAN ENGINEERING		
027	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
	SMALL BOATS		
028	STANDARD BOATS	52,371	52,371
	PRODUCTION FACILITIES EQUIPMENT		
029	OPERATING FORCES IPE	233,667	233,667
	OTHER SHIP SUPPORT		
030	LCS COMMON MISSION MODULES EQUIPMENT	39,714	39,714
031	LCS MCM MISSION MODULES	218,822	167,922
	COBRA early to need		[–9,300]
	Program Decrease		[–41,600]
032	LCS ASW MISSION MODULES	61,759	61,759
033	LCS SUW MISSION MODULES	24,412	24,412
034	LCS IN-SERVICE MODERNIZATION	121,848	151,848
	Preservation of LCS 3 and LCS 4		[30,000]
035	SMALL & MEDIUM UUV	67,709	43,709
	Early to need based on IOTE schedule		[–24,000]
	SHIP SONARS		
037	SPQ–9B RADAR	27,517	27,517

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(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
038	AN/SQQ–89 SURF ASW COMBAT SYSTEM	128,664	128,664
039	SSN ACOUSTIC EQUIPMENT	374,737	374,737
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,286	9,286
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	26,066	26,066
042	SSTD	13,241	13,241
043	FIXED SURVEILLANCE SYSTEM	193,446	193,446
044	SURTASS	63,838	63,838
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ–32	387,195	387,195
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	235,744	223,644
	Excess cost growth		[–12,100]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	26,006	26,006
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,385	15,385
050	ATDLS	103,835	103,835
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,594	3,594
052	MINESWEEPING SYSTEM REPLACEMENT	15,744	15,744
053	SHALLOW WATER MCM	5,493	5,493
054	NAVSTAR GPS RECEIVERS (SPACE)	38,043	38,043
055	AMERICAN FORCES RADIO AND TV SERVICE	2,592	2,592
056	STRATEGIC PLATFORM SUPPORT EQUIP	7,985	7,985
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	83,475	83,475
058	AFLOAT ATC EQUIPMENT	65,113	65,113
059	ID SYSTEMS	23,815	23,815
060	JOINT PRECISION APPROACH AND LANDING SYSTEM (	100,751	100,751
061	NAVAL MISSION PLANNING SYSTEMS	13,947	13,947
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
063	TACTICAL/MOBILE C4I SYSTEMS	22,771	22,771
064	DCGS-N	18,872	18,872
065	CANES	389,585	389,585
066	RADIAC	10,335	10,335
067	CANES-INTELL	48,654	48,654
068	GPETE	8,133	8,133
069	MASF	4,150	4,150
070	INTEG COMBAT SYSTEM TEST FACILITY	5,934	5,934
071	EMI CONTROL INSTRUMENTATION	4,334	4,334
072	ITEMS LESS THAN $5 MILLION	159,815	159,815
	SHIPBOARD COMMUNICATIONS		
073	SHIPBOARD TACTICAL COMMUNICATIONS	56,106	56,106
074	SHIP COMMUNICATIONS AUTOMATION	124,288	124,288
075	COMMUNICATIONS ITEMS UNDER $5M	45,120	45,120
	SUBMARINE COMMUNICATIONS		
076	SUBMARINE BROADCAST SUPPORT	31,133	31,133
077	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
	SATELLITE COMMUNICATIONS		
078	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
079	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
	SHORE COMMUNICATIONS		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
	CRYPTOGRAPHIC EQUIPMENT		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	147,551
	Program decrease		[–10,000]
082	MIO INTEL EXPLOITATION TEAM	985	985
	CRYPTOLOGIC EQUIPMENT		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
	OTHER ELECTRONIC SUPPORT		
090	COAST GUARD EQUIPMENT	70,689	70,689
	SONOBUOYS		
092	SONOBUOYS—ALL TYPES	237,639	286,639
	Inventory increase		[49,000]
	AIRCRAFT SUPPORT EQUIPMENT		
093	MINOTAUR	5,077	5,077
094	WEAPONS RANGE SUPPORT EQUIPMENT	83,969	83,969
095	AIRCRAFT SUPPORT EQUIPMENT	187,758	187,758
096	ADVANCED ARRESTING GEAR (AAG)	16,059	16,059
097	METEOROLOGICAL EQUIPMENT	15,192	15,192
099	LEGACY AIRBORNE MCM	6,674	6,674
100	LAMPS EQUIPMENT	1,189	1,189
101	AVIATION SUPPORT EQUIPMENT	58,873	58,873
102	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	60,937	60,937
	SHIP GUN SYSTEM EQUIPMENT		
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	252,077
	Excess cost growth		[–10,000]
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	76,087

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Line	Item	FY 2021 Request	House Authorized
	TMPC cost growth		*[–8,000]*
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN $5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN $5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	638,639
	Program decrease		*[–30,000]*
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	C4ISR EQUIPMENT	6,697	6,697
135	ENVIRONMENTAL SUPPORT EQUIPMENT	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY	42,680	42,680
	OTHER		
140	NEXT GENERATION ENTERPRISE SERVICE	184,443	184,443
141	CYBERSPACE ACTIVITIES	16,523	16,523
	CLASSIFIED PROGRAMS		
41A	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	421,195
	SPY–1 battle spare		*[47,000]*
	TOTAL OTHER PROCUREMENT, NAVY	**10,948,518**	**10,236,018**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	87,476	87,476
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
003	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	59	59
005	ARTILLERY WEAPONS SYSTEM	174,687	234,337
	Ground Based Anti-Ship Missiles—USMC UPL		*[59,650]*
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	24,867	24,867
	OTHER SUPPORT		
007	MODIFICATION KITS	3,067	0
	USMC funds identified excess to need		*[–3,067]*
	GUIDED MISSILES		
008	GROUND BASED AIR DEFENSE	18,920	18,920
009	ANTI-ARMOR MISSILE-JAVELIN	19,888	19,888
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,891	21,891
011	ANTI-ARMOR MISSILE-TOW	34,985	34,985
012	GUIDED MLRS ROCKET (GMLRS)	133,689	133,689
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,057	35,057
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	24,405	24,405
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	1,006	1,006
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER $5 MILLION (COMM & ELEC)	69,725	69,725
017	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
	INTELL/COMM EQUIPMENT (NON-TEL)		
020	GCSS-MC	1,587	1,587
021	FIRE SUPPORT SYSTEM	24,934	24,934

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Line	Item	FY 2021 Request	House Authorized
022	INTELLIGENCE SUPPORT EQUIPMENT	50,728	50,728
024	UNMANNED AIR SYSTEMS (INTEL)	24,853	24,853
025	DCGS-MC	38,260	38,260
026	UAS PAYLOADS	5,489	5,489
	OTHER SUPPORT (NON-TEL)		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	78,922	78,922
030	COMMON COMPUTER RESOURCES	35,349	35,349
031	COMMAND POST SYSTEMS	33,713	33,713
032	RADIO SYSTEMS	343,250	343,250
033	COMM SWITCHING & CONTROL SYSTEMS	40,627	40,627
034	COMM & ELEC INFRASTRUCTURE SUPPORT	43,782	43,782
035	CYBERSPACE ACTIVITIES	53,896	53,896
	CLASSIFIED PROGRAMS		
36A	CLASSIFIED PROGRAMS	3,797	3,797
	ADMINISTRATIVE VEHICLES		
037	COMMERCIAL CARGO VEHICLES	22,460	22,460
	TACTICAL VEHICLES		
038	MOTOR TRANSPORT MODIFICATIONS	10,739	10,739
039	JOINT LIGHT TACTICAL VEHICLE	381,675	381,675
040	FAMILY OF TACTICAL TRAILERS	2,963	2,963
	ENGINEER AND OTHER EQUIPMENT		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	385	385
043	TACTICAL FUEL SYSTEMS	501	501
044	POWER EQUIPMENT ASSORTED	23,430	23,430
045	AMPHIBIOUS SUPPORT EQUIPMENT	5,752	5,752
046	EOD SYSTEMS	20,939	20,939
	MATERIALS HANDLING EQUIPMENT		
047	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
	GENERAL PROPERTY		
048	FIELD MEDICAL EQUIPMENT	4,187	4,187
049	TRAINING DEVICES	101,765	101,765
050	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
051	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
	OTHER SUPPORT		
052	ITEMS LESS THAN $5 MILLION	9,174	9,174
	SPARES AND REPAIR PARTS		
053	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	**2,903,976**	**2,960,559**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	4,567,018	4,236,018
	Excess depot standup funding		[–22,000]
	Excess miscellaneous support costs		[–156,000]
	Excess production engineering support		[–10,000]
	F135 affordability challenges		[–48,000]
	Lot 15 target cost savings		[–75,000]
	Unjustified ALIS funding		[–20,000]
002	F–35 AP	610,800	610,800
004	F–15EX	1,269,847	1,269,847
005	F–15EX AP	133,500	133,500
	TACTICAL AIRLIFT		
007	KC–46A MDAP	2,850,151	2,189,151
	Decrease quantity by three aircraft		[–462,000]
	Prior year carryover		[–119,000]
	Spares excess to need due to quantity decrease		[–40,000]
	Wing Air Refueling Pods early to need		[–40,000]
	OTHER AIRLIFT		
008	C–130J	37,131	37,131
010	MC–130J	362,807	241,807
	Prior year carryover		[–121,000]
011	MC–130J AP	39,987	29,987
	FY22 quantity reduction		[–10,000]
	HELICOPTERS		
012	UH–1N REPLACEMENT	194,016	194,016
013	COMBAT RESCUE HELICOPTER	973,473	973,473
	MISSION SUPPORT AIRCRAFT		
015	CIVIL AIR PATROL A/C	2,811	11,211
	Program Increase		[8,400]
	OTHER AIRCRAFT		
016	TARGET DRONES	133,273	133,273
018	COMPASS CALL	161,117	291,117
	Program increase		[130,000]
020	MQ–9	29,409	120,209
	Program increase		[108,000]
	Unjustified request		[–17,200]
	STRATEGIC AIRCRAFT		
022	B–1	3,853	3,853
023	B–2A	31,476	31,476
024	B–1B	21,808	1,808
	Slow modernization execution		[–20,000]
025	B–52	53,949	22,249

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Line	Item	FY 2021 Request	House Authorized
	GPS IU early to need		[–28,700]
	Tactical data link contract delay		[–3,000]
025A	*LONG-RANGE STRIKE BOMBER ADVANCED PROCUREMENT*		20,000
	Advanced procurement		[20,000]
026	*LARGE AIRCRAFT INFRARED COUNTERMEASURES*	9,999	9,999
	TACTICAL AIRCRAFT		
027	*A–10*	135,793	135,793
028	*E–11 BACN/HAG*	33,645	33,645
029	*F–15*	349,304	349,304
030	*F–16*	615,760	615,760
032	*F–22A*	387,905	361,705
	Contract delays		[–26,200]
033	*F–35 MODIFICATIONS*	322,185	290,485
	Block IV/TR3 delays		[–31,700]
034	*F–15 EPAW*	31,995	27,195
	Concurrency		[–4,800]
035	*INCREMENT 3.2B*	5,889	5,889
036	*KC–46A MDAP*	24,085	9,085
	Excessive airworthiness directives and service bulletins		[–15,000]
	AIRLIFT AIRCRAFT		
037	*C–5*	62,108	50,008
	Unjustified PMA cost growth		[–12,100]
038	*C–17A*	66,798	56,798
	BLOS ahead of need		[–10,000]
040	*C–32A*	2,947	2,947
041	*C–37A*	12,985	5,985
	SATCOM installs ahead of need		[–7,000]
	TRAINER AIRCRAFT		
042	*GLIDER MODS*	977	977
043	*T–6*	26,829	26,829
044	*T–1*	4,465	4,465
045	*T–38*	36,806	41,806
	T–38 ejection seat improvements		[5,000]
	OTHER AIRCRAFT		
046	*U–2 MODS*	110,618	110,618
047	*KC–10A (ATCA)*	117	117
049	*VC–25A MOD*	1,983	1,983
050	*C–40*	9,252	7,252
	SATCOM installs ahead of need		[–2,000]
051	*C–130*	5,871	140,671
	AMP 1 excess to need		[–3,800]
	Eight-bladed propeller upgrade kits only		[55,000]
	Improved modular airborne fire fighting system (iMAFFS)		[4,600]
	T–56 3.5 engine mod		[79,000]
052	*C–130J MODS*	140,032	140,032
053	*C–135*	88,250	86,450
	Other government cost growth		[–1,800]
055	*COMPASS CALL*	193,389	193,389
057	*RC–135*	191,332	191,332
058	*E–3*	172,141	172,141
059	*E–4*	58,803	58,803
060	*E–8*	11,037	38,037
	Program increase		[27,000]
061	*AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45*	53,343	53,343
062	*FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS*	1,573	1,573
063	*H–1*	4,410	4,410
064	*H–60*	44,538	44,538
065	*RQ–4 MODS*	40,468	40,468
066	*HC/MC–130 MODIFICATIONS*	20,780	20,780
067	*OTHER AIRCRAFT*	100,774	100,774
068	*MQ–9 MODS*	188,387	188,387
070	*CV–22 MODS*	122,306	328,506
	SOCOM UPL		[206,200]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	*INITIAL SPARES/REPAIR PARTS*	926,683	915,383
	Unobligated balances—F–16s		[–11,300]
	COMMON SUPPORT EQUIPMENT		
073	*AIRCRAFT REPLACEMENT SUPPORT EQUIP*	132,719	132,719
	POST PRODUCTION SUPPORT		
074	*B–2A*	1,683	1,683
075	*B–2B*	46,734	46,734
076	*B–52*	1,034	1,034
079	*E–11 BACN/HAG*	63,419	63,419
080	*F–15*	2,632	2,632
081	*F–16*	14,163	14,163
083	*OTHER AIRCRAFT*	4,595	4,595
084	*RQ–4 POST PRODUCTION CHARGES*	32,585	32,585
	INDUSTRIAL PREPAREDNESS		
085	*INDUSTRIAL RESPONSIVENESS*	18,215	18,215
	WAR CONSUMABLES		
086	*WAR CONSUMABLES*	36,046	36,046
	OTHER PRODUCTION CHARGES		

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Line	Item	FY 2021 Request	House Authorized
087	OTHER PRODUCTION CHARGES	1,439,640	1,439,640
	CLASSIFIED PROGRAMS		
89A	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**17,908,145**	**17,233,745**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
002	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
004	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	475,949
005	LRASM0	19,800	19,800
006	SIDEWINDER (AIM–9X)	164,769	164,769
007	AMRAAM	453,223	453,223
008	PREDATOR HELLFIRE MISSILE	40,129	40,129
009	SMALL DIAMETER BOMB	45,475	45,475
010	SMALL DIAMETER BOMB II	273,272	273,272
	INDUSTRIAL FACILITIES		
011	INDUSTR'L PREPAREDNS/POL PREVENTION	814	814
	CLASS IV		
013	ICBM FUZE MOD	3,458	3,458
014	ICBM FUZE MOD AP	43,450	43,450
015	MM III MODIFICATIONS	85,310	85,310
016	AGM–65D MAVERICK	298	298
017	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
018	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
019	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
025	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
25A	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,396,417**	**2,396,417**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	14,962	14,962
	CARTRIDGES		
002	CARTRIDGES	123,365	123,365
	BOMBS		
003	PRACTICE BOMBS	59,725	59,725
006	JOINT DIRECT ATTACK MUNITION	206,989	206,989
007	B61	35,634	35,634
	OTHER ITEMS		
009	CAD/PAD	47,830	47,830
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,232	6,232
011	SPARES AND REPAIR PARTS	542	542
012	MODIFICATIONS	1,310	1,310
013	ITEMS LESS THAN $5,000,000	4,753	4,753
	FLARES		
015	FLARES	40,088	40,088
	FUZES		
016	FUZES	40,983	40,983
	SMALL ARMS		
017	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**596,338**	**596,338**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
001	ADVANCED EHF	14,823	14,823
002	AF SATELLITE COMM SYSTEM	48,326	43,326
	Insufficient justification		[–5,000]
003	COUNTERSPACE SYSTEMS	65,540	57,540
	Insufficient justification		[–8,000]
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	66,190	66,190
005	GENERAL INFORMATION TECH—SPACE	3,299	3,299
006	GPSIII FOLLOW ON	627,796	612,796
	Unjustified growth		[–15,000]
007	GPS III SPACE SEGMENT	20,122	20,122
008	GLOBAL POSTIONING (SPACE)	2,256	2,256
009	SPACEBORNE EQUIP (COMSEC)	35,495	35,495
010	MILSATCOM	15,795	15,795
011	SBIR HIGH (SPACE)	160,891	160,891
012	SPECIAL SPACE ACTIVITIES	78,387	78,387
013	NATIONAL SECURITY SPACE LAUNCH	1,043,171	1,043,171
014	NUDET DETECTION SYSTEM	6,638	6,638
015	ROCKET SYSTEMS LAUNCH PROGRAM	47,741	47,741
016	SPACE FENCE	11,279	11,279
017	SPACE MODS	96,551	86,551
	Insufficient justification		[–10,000]
018	SPACELIFT RANGE SYSTEM SPACE	100,492	100,492
	SPARES		

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Line	Item	FY 2021 Request	House Authorized
019	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	**2,446,064**	**2,408,064**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	15,058	15,058
003	CAP VEHICLES	1,059	1,800
	Program increase		[741]
004	CARGO AND UTILITY VEHICLES	38,920	38,920
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	30,544	30,544
006	SECURITY AND TACTICAL VEHICLES	319	319
007	SPECIAL PURPOSE VEHICLES	43,157	34,381
	Program decrease		[–2,500]
	Unjustified request		[–6,276]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
011	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
014	INTERNATIONAL INTEL TECH & ARCHITECTURES	9,283	9,283
015	INTELLIGENCE TRAINING EQUIPMENT	6,849	6,849
016	INTELLIGENCE COMM EQUIPMENT	33,471	33,471
	ELECTRONICS PROGRAMS		
017	AIR TRAFFIC CONTROL & LANDING SYS	29,409	29,409
018	BATTLE CONTROL SYSTEM—FIXED	7,909	7,909
019	THEATER AIR CONTROL SYS IMPROVEMEN	32,632	32,632
020	WEATHER OBSERVATION FORECAST	33,021	33,021
021	STRATEGIC COMMAND AND CONTROL	31,353	31,353
022	CHEYENNE MOUNTAIN COMPLEX	10,314	10,314
023	MISSION PLANNING SYSTEMS	15,132	15,132
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,806	9,806
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	39,887	39,887
027	AF GLOBAL COMMAND & CONTROL SYS	2,602	2,602
029	MOBILITY COMMAND AND CONTROL	10,541	10,541
030	AIR FORCE PHYSICAL SECURITY SYSTEM	96,277	93,777
	Program decrease		[–2,500]
031	COMBAT TRAINING RANGES	195,185	195,185
032	MINIMUM ESSENTIAL EMERGENCY COMM N	29,664	29,664
033	WIDE AREA SURVEILLANCE (WAS)	59,633	59,633
034	C3 COUNTERMEASURES	105,584	105,584
036	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	899	899
038	THEATER BATTLE MGT C2 SYSTEM	3,392	3,392
039	AIR & SPACE OPERATIONS CENTER (AOC)	24,983	24,983
	AIR FORCE COMMUNICATIONS		
041	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	19,147	19,147
042	AFNET	84,515	84,515
043	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,185	6,185
044	USCENTCOM	19,649	19,649
045	USSTRATCOM	4,337	4,337
	ORGANIZATION AND BASE		
046	TACTICAL C-E EQUIPMENT	137,033	137,033
047	RADIO EQUIPMENT	15,264	15,264
049	BASE COMM INFRASTRUCTURE	132,281	132,281
	MODIFICATIONS		
050	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT+MTRLS HANDLING EQ		
052	POWER CONDITIONING EQUIPMENT	11,454	11,454
053	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
054	BASE PROCURED EQUIPMENT	21,142	21,142
055	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
056	MOBILITY EQUIPMENT	18,266	22,966
	Program increase		[4,700]
057	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	30,378
	Program decrease		[–4,700]
	Unjustified request		[–7,000]
	SPECIAL SUPPORT PROJECTS		
060	DARP RC135	27,164	27,164
061	DCGS-AF	121,528	121,528
063	SPECIAL UPDATE PROGRAM	782,641	782,641

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	CLASSIFIED PROGRAMS		
63A	CLASSIFIED PROGRAMS	21,086,112	21,026,112
	Program adjustment		[–60,000]
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
065	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	**23,695,720**	**23,618,185**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
026	MAJOR EQUIPMENT, DPAA	500	500
049	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, NSA		
048	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, WHS		
053	MAJOR EQUIPMENT, WHS	515	515
	MAJOR EQUIPMENT, DISA		
011	INFORMATION SYSTEMS SECURITY	17,211	17,211
012	TELEPORT PROGRAM	29,841	29,841
013	JOINT FORCES HEADQUARTERS—DODIN	3,091	3,091
014	ITEMS LESS THAN $5 MILLION	41,569	41,569
016	DEFENSE INFORMATION SYSTEM NETWORK	26,978	26,978
017	WHITE HOUSE COMMUNICATION AGENCY	44,161	44,161
018	SENIOR LEADERSHIP ENTERPRISE	35,935	35,935
019	JOINT REGIONAL SECURITY STACKS (JRSS)	88,741	8,741
	Program decrease		[–80,000]
020	JOINT SERVICE PROVIDER	157,538	157,538
021	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,084	42,084
	MAJOR EQUIPMENT, DLA		
023	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DCSA		
003	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, TJS		
050	MAJOR EQUIPMENT, TJS	8,329	8,329
051	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
031	THAAD	495,396	601,396
	THAAD battery #8		[106,000]
034	AEGIS BMD	356,195	356,195
035	AEGIS BMD AP	44,901	44,901
037	SM–3 IIAS	218,322	333,322
	Increase SM–3 Block IIA quantities		[115,000]
038	ARROW 3 UPPER TIER SYSTEMS	77,000	77,000
039	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
040	AEGIS ASHORE PHASE III	39,114	39,114
041	IRON DOME	73,000	73,000
042	AEGIS BMD HARDWARE AND SOFTWARE	104,241	104,241
	MAJOR EQUIPMENT, DHRA		
005	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
028	VEHICLES	215	215
029	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
027	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DODEA		
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DMACT		
024	MAJOR EQUIPMENT	7,993	7,993
	CLASSIFIED PROGRAMS		
54A	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
055	ARMED OVERWATCH/TARGETING	101,000	53,000
	Program decrease		[–80,000]
	U.S. Special Operations Command Armed Overwatch program		[32,000]
059	ROTARY WING UPGRADES AND SUSTAINMENT	211,041	211,041
060	UNMANNED ISR	25,488	20,488
	Program decrease		[–5,000]
061	NON-STANDARD AVIATION	61,874	56,874
	Program decrease		[–5,000]
062	U–28	3,825	3,825
063	MH–47 CHINOOK	135,482	135,482
064	CV–22 MODIFICATION	14,829	14,829
065	MQ–9 UNMANNED AERIAL VEHICLE	6,746	6,746
066	PRECISION STRIKE PACKAGE	243,111	238,111
	Program decrease		[–5,000]
067	AC/MC–130J	163,914	163,914
068	C–130 MODIFICATIONS	20,414	20,414
	SHIPBUILDING		
069	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
070	ORDNANCE ITEMS <$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
071	INTELLIGENCE SYSTEMS	94,982	94,982
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,645	11,645
073	OTHER ITEMS <$5M	96,333	96,333
074	COMBATANT CRAFT SYSTEMS	17,278	17,278
075	SPECIAL PROGRAMS	78,865	71,365
	Program decrease		[–7,500]
076	TACTICAL VEHICLES	30,158	30,158
077	WARRIOR SYSTEMS <$5M	260,733	260,733
078	COMBAT MISSION REQUIREMENTS	19,848	19,848
079	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	2,401	2,401
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	13,861	8,861
	Program decrease		[–5,000]
081	OPERATIONAL ENHANCEMENTS	247,038	242,038
	Program decrease		[–5,000]
	CBDP		
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
083	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,324,487**	**5,384,987**
	TOTAL PROCUREMENT	**130,684,160**	**132,844,847**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		
009	AH–64 APACHE BLOCK IIIB NEW BUILD	69,154	64,354
	Unjustified costs		[–4,800]
014	CH–47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
017	MQ–1 PAYLOAD (MIP)	5,968	5,968
020	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
025	EMARSS SEMA MODS (MIP)	26,460	26,460
030	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
037	CMWS	149,162	149,162
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
041	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**461,080**	**456,280**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	M-SHORAD—PROCUREMENT	158,300	158,300
003	MSE MISSILE	176,585	176,585
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
011	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
015	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	84,993	84,993
	MODIFICATIONS		
017	ATACMS MODS	78,434	78,434
022	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	**881,592**	**881,592**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
018	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	**15,225**	**15,225**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	567	567
002	CTG, 7.62MM, ALL TYPES	40	40
004	CTG, HANDGUN, ALL TYPES	17	17
005	CTG, .50 CAL, ALL TYPES	189	189
008	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
016	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
021	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	MISCELLANEOUS		
029	ITEMS LESS THAN $5 MILLION (AMMO)	11	11
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**110,668**	**110,668**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,500	6,500
014	PLS ESP	15,163	15,163
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	27,066	27,066
	COMM—SATELLITE COMMUNICATIONS		
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	2,700	2,700
032	ASSURED POSITIONING, NAVIGATION AND TIMING	12,566	12,566
033	SMART-T (SPACE)	289	289
034	GLOBAL BRDCST SVC—GBS	319	319
	COMM—COMBAT COMMUNICATIONS		
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
052	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
058	INFORMATION SYSTEMS	15,277	15,277
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	74,004
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
068	DCGS-A (MIP)	47,709	47,709
070	TROJAN (MIP)	1,766	1,766
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	61,450	61,450
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	12,337	12,337
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
080	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
083	SENTINEL MODS	33,496	33,496
084	NIGHT VISION DEVICES	643	643
087	RADIATION MONITORING SYSTEMS	11	11
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	37,000	37,000
094	COMPUTER BALLISTICS: LHMBC XM32	280	280
095	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	3,721	3,721
145	FORCE PROVIDER	56,400	56,400
146	FIELD FEEDING EQUIPMENT	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN $5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPA3)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845
	TOTAL OTHER PROCUREMENT, ARMY	**924,077**	**924,077**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
024	STUASL0 UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
053	COMMON ECM EQUIPMENT	3,474	3,474
055	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
064	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**33,241**	**33,241**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
012	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	**5,572**	**5,572**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	8,068	8,068
002	JDAM	15,529	15,529
003	AIRBORNE ROCKETS, ALL TYPES	23,000	23,000
004	MACHINE GUN AMMUNITION	22,600	22,600
006	CARTRIDGES & CART ACTUATED DEVICES	3,927	3,927
007	AIR EXPENDABLE COUNTERMEASURES	15,978	15,978
008	JATOS	2,100	2,100
011	OTHER SHIP GUN AMMUNITION	2,611	2,611
012	SMALL ARMS & LANDING PARTY AMMO	1,624	1,624
013	PYROTECHNIC AND DEMOLITION	505	505
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**95,942**	**95,942**
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
028	STANDARD BOATS	19,104	19,104
	OTHER SHIP SUPPORT		
035	SMALL & MEDIUM UUV	2,946	2,946
	ASW ELECTRONIC EQUIPMENT		
043	FIXED SURVEILLANCE SYSTEM	213,000	213,000
	SONOBUOYS		
092	SONOBUOYS—ALL TYPES	26,196	26,196
	AIRCRAFT SUPPORT EQUIPMENT		
095	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
	SUPPLY SUPPORT EQUIPMENT		
125	FIRST DESTINATION TRANSPORTATION	520	520
	TRAINING DEVICES		
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
	COMMAND SUPPORT EQUIPMENT		
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	**343,526**	**343,526**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
012	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	4,200	4,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
	TACTICAL VEHICLES		
038	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	**47,963**	**47,963**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
013	COMBAT RESCUE HELICOPTER	174,000	174,000
	OTHER AIRCRAFT		
020	MQ–9	142,490	142,490
021	RQ–20B PUMA	13,770	13,770
	STRATEGIC AIRCRAFT		
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
	OTHER AIRCRAFT		
046	U–2 MODS	9,600	9,600
055	COMPASS CALL	12,800	12,800
066	HC/MC–130 MODIFICATIONS	58,020	58,020
069	MQ–9 UAS PAYLOADS	46,100	63,500
	WAMI combat loss replacement		[17,400]
070	CV–22 MODS	6,290	6,290
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	10,700	10,700
072	MQ–9	12,250	12,250
	COMMON SUPPORT EQUIPMENT		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**569,155**	**586,555**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
004	JOINT AIR-SURFACE STANDOFF MISSILE	30,000	30,000
008	PREDATOR HELLFIRE MISSILE	143,420	143,420
009	SMALL DIAMETER BOMB	50,352	50,352
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**223,772**	**223,772**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	19,489	19,489
	CARTRIDGES		
002	CARTRIDGES	40,434	40,434
	BOMBS		
004	GENERAL PURPOSE BOMBS	369,566	369,566
006	JOINT DIRECT ATTACK MUNITION	237,723	237,723
	FLARES		
015	FLARES	21,171	21,171
	FUZES		
016	FUZES	107,855	107,855
	SMALL ARMS		
017	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**802,455**	**802,455**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	1,302	1,302
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	3,400	3,400
004	CARGO AND UTILITY VEHICLES	12,475	12,475
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
007	SPECIAL PURPOSE VEHICLES	51,254	51,254
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	14,167	14,167
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
011	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
030	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
	ORGANIZATION AND BASE		
049	BASE COMM INFRASTRUCTURE	30,717	30,717
	BASE SUPPORT EQUIPMENT		
055	ENGINEERING AND EOD EQUIPMENT	13,172	13,172
056	MOBILITY EQUIPMENT	33,694	33,694
057	FUELS SUPPORT EQUIPMENT (FSE)	1,777	1,777
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT	31,620	31,620
	SPECIAL SUPPORT PROJECTS		
061	DCGS-AF	18,700	18,700
	SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	**355,339**	**355,339**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
016	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
030	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
	CLASSIFIED PROGRAMS		
54A	CLASSIFIED PROGRAMS	3,500	3,500
	AVIATION PROGRAMS		
056	MANNED ISR	5,000	45,100
	Combat loss replacement—DHC–8		[40,100]
057	MC–12	5,000	5,000
060	UNMANNED ISR	8,207	8,207
	AMMUNITION PROGRAMS		
070	ORDNANCE ITEMS <$5M	105,355	105,355
	OTHER PROCUREMENT PROGRAMS		
071	INTELLIGENCE SYSTEMS	16,234	16,234
073	OTHER ITEMS <$5M	984	984
076	TACTICAL VEHICLES	2,990	2,990
077	WARRIOR SYSTEMS <$5M	32,573	37,573
	Development of autonomous, multi-sensor cUAS capabilities with kinetic effects		[5,000]
078	COMBAT MISSION REQUIREMENTS	10,000	10,000
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	6,724	6,724
081	OPERATIONAL ENHANCEMENTS	53,264	53,264
	TOTAL PROCUREMENT, DEFENSE-WIDE	**258,491**	**303,591**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		150,000
	Program increase		[150,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT		**150,000**
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**150,000**
	TOTAL PROCUREMENT	**5,128,098**	**5,485,798**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
002	0601102A	DEFENSE RESEARCH SCIENCES	303,257	308,257
		Counter-UAS Army research lab		[5,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	96,877
		Automotive research center modeling and simulation		[5,000]
		Biotechnology advancements		[4,000]
005	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	**463,359**	**477,359**
		APPLIED RESEARCH		
007	0602115A	BIOMEDICAL TECHNOLOGY	11,835	11,835
011	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	2,000	2,000
012	0602141A	LETHALITY TECHNOLOGY	42,425	47,425
		Next generation additive manufacturing and 3–D printed electronics		[5,000]
013	0602142A	ARMY APPLIED RESEARCH	30,757	30,757
014	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	132,435
		HEROES program increase		[5,000]
		Syn-bio enabled functional materials for the soldier		[2,000]
015	0602144A	GROUND TECHNOLOGY	28,047	45,047
		Cold weather military research		[2,000]
		Materials recovery technologies for defense supply resiliency		[10,000]
		Polymeric composites via cold spray additive manufacturing		[5,000]
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	217,565
017	0602146A	NETWORK C3I TECHNOLOGY	114,404	129,404
		Alternative positioning navigation and timing		[5,000]
		Multi-drone/multi-sensor intelligence, surveillance, and reconnaissance capabilities		[2,000]
		Program increase		[5,000]
		Sensor and electronic network initatives		[3,000]
018	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	60,553
019	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	96,484	101,484
		High density eVOTL power source research		[5,000]
020	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	76,298
		Advanced tracking and targeting capability		[5,000]
		High energy laser technology		[5,000]
		Radar research		[5,000]
		UAS threat detection		[5,000]
022	0602213A	C3I APPLIED CYBER	18,816	18,816
040	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,766	20,766
042	0602787A	MEDICAL TECHNOLOGY	95,496	95,496
		SUBTOTAL APPLIED RESEARCH	**920,881**	**989,881**
		ADVANCED TECHNOLOGY DEVELOPMENT		
044	0603002A	MEDICAL ADVANCED TECHNOLOGY	38,896	38,896
049	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	11,659	11,659
052	0603115A	MEDICAL DEVELOPMENT	27,723	27,723
053	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	62,663	62,663
054	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	109,608	118,608
		Advanced AI/AA analytics for modernization and readiness		[5,000]
		Anthropomorphic study for body armor modernization		[4,000]
055	0603119A	GROUND ADVANCED TECHNOLOGY	14,795	23,295
		Rapid entry and sustainment for the arctic		[5,000]
		Survivability and energy reduction of hard shelters		[3,500]
059	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	25,000	25,000
063	0603457A	C3I CYBER ADVANCED DEVELOPMENT	23,357	23,357
064	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	188,024	188,024
065	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	199,358	216,358
		Cyber security support for vehicle development		[2,000]
		Fuel cell powered vehicle development		[15,000]
066	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	158,608	163,608

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Tactical geospatial information development		[5,000]
067	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	121,060	131,060
		Hypervelocity projectile		[10,000]
068	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	156,194	156,194
069	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	58,130	63,130
		Program acceleration		[5,000]
077	0603920A	HUMANITARIAN DEMINING	8,515	8,515
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,203,590**	**1,258,090**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
078	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	11,062	21,062
		Accelerated test and integration		[10,000]
079	0603308A	ARMY SPACE SYSTEMS INTEGRATION	26,230	26,230
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	26,482	26,482
081	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,092	66,092
		MICLIC replacement development		[2,000]
083	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	92,753	92,753
084	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	151,478	163,978
		Fuel cell powered vehicle development		[15,000]
		Modeling and simulation support for vehicle development		[12,500]
		Program decrease		[–15,000]
085	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	5,841	5,841
086	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	194,775	194,775
087	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	24,316	24,316
088	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	13,387	13,387
089	0603790A	NATO RESEARCH AND DEVELOPMENT	4,762	4,762
090	0603801A	AVIATION—ADV DEV	647,937	647,937
091	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	4,761	4,761
092	0603807A	MEDICAL SYSTEMS—ADV DEV	28,520	28,520
093	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	26,138	23,138
		IHPS program delays		[–3,000]
094	0604017A	ROBOTICS DEVELOPMENT	121,207	115,407
		Program reduction		[–5,800]
096	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	22,840	22,840
097	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	22,678	22,678
098	0604100A	ANALYSIS OF ALTERNATIVES	10,082	10,082
099	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,378	1,378
100	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	40,083	40,083
101	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	376,373	376,373
102	0604115A	TECHNOLOGY MATURATION INITIATIVES	156,834	156,834
103	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	4,995	4,995
105	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	170,490	170,490
106	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	128,125	128,125
107	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	129,547	129,547
108	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,831	13,831
109	0604182A	HYPERSONICS	801,417	811,417
		Program increase		[10,000]
111	0604403A	FUTURE INTERCEPTOR	7,992	7,992
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,421,608**	**3,447,308**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
118	0604201A	AIRCRAFT AVIONICS	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS	91,574	98,574
		Advanced gunner protection kit development		[2,000]
		Soldier Enhancement Program		[5,000]
122	0604604A	MEDIUM TACTICAL VEHICLES	8,523	8,523
123	0604611A	JAVELIN	7,493	7,493
124	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	24,792	24,792
125	0604633A	AIR TRAFFIC CONTROL	3,511	3,511
126	0604642A	LIGHT TACTICAL WHEELED VEHICLES	1,976	1,976
127	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	135,488	135,488
128	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	43,651	39,651
		Army identified funds excess to need		[–4,000]
132	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	10,150	10,150
133	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,578	5,578
134	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	7,892	7,892
135	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	24,975	24,975
136	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	3,568	3,568
137	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	19,268	19,268
138	0604802A	WEAPONS AND MUNITIONS—ENG DEV	265,811	265,811
139	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	49,694	49,694
140	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	11,079	11,079
141	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	49,870	49,870
142	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	9,589	9,589
143	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	162,513	152,513

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Command post integrated infrastructure contract delay		[–10,000]
144	0604820A	RADAR DEVELOPMENT	109,259	109,259
145	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	21,201	21,201
146	0604823A	FIREFINDER	20,008	16,808
		Prior year carry-over		[–3,200]
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	82,459	109,380
		Prior year carry-over		[–5,079]
		Program increase for vehicle protection systems		[32,000]
149	0604854A	ARTILLERY SYSTEMS—EMD	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	142,678	137,678
		Reprioritization		[–5,000]
151	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	115,286	115,286
152	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,594	76,594
		Army identified funds excess to need		[–20,000]
154	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,264	16,264
155	0605031A	JOINT TACTICAL NETWORK (JTN)	31,696	31,696
157	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E)	5,976	5,976
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	23,321	28,321
		AI virtual training environments		[5,000]
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	28,544	28,544
163	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,178	28,178
164	0605047A	CONTRACT WRITING SYSTEM	22,860	22,860
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	35,893	35,893
167	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	235,770	187,970
		Army identified funds excess to need		[–47,800]
168	0605053A	GROUND ROBOTICS	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES	294,739	284,739
		Program decrease		[–10,000]
170	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	954	954
171	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	150,201	150,201
172	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	5,999	5,999
174	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	8,891	8,891
175	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE	327,732	244,732
		Army identified funds excess to need		[–83,000]
177	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,670	7,670
178	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	1,742	1,742
179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,467	4,467
		Aircraft cleaning and deicing system development		[3,000]
180	0303032A	TROJAN—RH12	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	55,855	55,855
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,199,798**	**3,058,719**
		MANAGEMENT SUPPORT		
185	0604256A	THREAT SIMULATOR DEVELOPMENT	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT	10,668	10,668
187	0604759A	MAJOR T&E INVESTMENT	106,270	111,270
		Program increase		[5,000]
188	0605103A	RAND ARROYO CENTER	13,481	13,481
189	0605301A	ARMY KWAJALEIN ATOLL	231,824	231,824
190	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	54,898	54,898
192	0605601A	ARMY TEST RANGES AND FACILITIES	350,359	350,359
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	48,475	62,975
		Aviation component testing		[5,000]
		Testing additive manufacturing technology		[9,500]
194	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,001	36,001
195	0605606A	AIRCRAFT CERTIFICATION	2,736	2,736
196	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,488	6,488
197	0605706A	MATERIEL SYSTEMS ANALYSIS	21,859	21,859
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,936	7,936
199	0605712A	SUPPORT OF OPERATIONAL TESTING	54,470	54,470
200	0605716A	ARMY EVALUATION CENTER	63,141	63,141
201	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,572	2,572
202	0605801A	PROGRAMWIDE ACTIVITIES	87,472	87,472
203	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,244	26,244
204	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,133	50,133
		Development of polymer-cased ammunition		[5,000]
		Program acceleration		[5,000]
205	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,780	1,780
206	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,045	55,045
208	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	71,306	71,306
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,063	1,063
210	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	19,891	19,891
211	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	4,496	4,496
		SUBTOTAL MANAGEMENT SUPPORT	**1,333,123**	**1,362,623**
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	56,633
		Program reduction		[–66,100]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	11,236	16,236
		Thermoplastic drive shafts		[5,000]
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	46,091	51,091
		Carbon composite materials for wheels and brakes		[5,000]
224	0607139A	IMPROVED TURBINE ENGINE PROGRAM	249,257	249,257
225	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	17,155	17,155
226	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	7,743	7,743
227	0607145A	APACHE FUTURE DEVELOPMENT	77,177	77,177
228	0607150A	INTEL CYBER DEVELOPMENT	14,652	14,652
229	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	35,851	35,851
230	0607665A	FAMILY OF BIOMETRICS	1,324	1,324
231	0607865A	PATRIOT PRODUCT IMPROVEMENT	187,840	187,840
232	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	44,691	44,691
233	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	268,919	263,252
		CROWS-J program delay		[–5,667]
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	427,254	290,963
		Prior year carry-over		[–6,291]
		Program decrease		[–130,000]
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	11,688	7,688
		Early to need		[–4,000]
236	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	80	80
237	0203758A	DIGITIZATION	4,516	4,516
238	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,288	1,288
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	79,424	19,424
		Program decrease		[–60,000]
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	166	166
245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,575	75,575
246	0208053A	JOINT TACTICAL GROUND SYSTEM	9,510	9,510
249	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,270	29,270
250	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	86,908	86,908
251	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,684	18,684
256	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	467	467
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,051	4,051
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	13,283	13,283
259	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	47,204	47,204
264	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,012	67,012
		6.8mm projectile development		[4,000]
		Lightweight film armor development		[2,000]
266A	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,998,539**	**1,742,481**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	46,445	46,445
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**46,445**	**46,445**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**12,587,343**	**12,382,906**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,816	121,816
		Navy Defense University Research Instrumentation program increase		[5,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,113	19,113
003	0601153N	DEFENSE RESEARCH SCIENCES	467,158	467,158
		SUBTOTAL BASIC RESEARCH	**603,087**	**608,087**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	17,792	17,792
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,281	147,281
		Additive manufacturing of unmanned maritime systems		[5,000]
		Cyber physical security and resiliency research		[5,000]
		Expeditionary unmanned systems launch and recovery		[5,000]
		Talent and technology for power and energy systems		[5,000]
		Unmanned logistics technology		[5,000]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	50,623	50,623
007	0602235N	COMMON PICTURE APPLIED RESEARCH	48,001	48,001
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	67,765	77,765
		High mobility ground robots		[5,000]
		Robotics in complex unstructured environments		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	84,994	84,994
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,392	73,392
		Extreme weather events research		[5,000]
		Program increase		[5,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,343	6,343
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,397	91,397
		Academic partnerships for undersea vehicle research		[10,000]
		Autonomous undersea robotics		[10,000]
		Cross-domain autonomy for persistent maritime operations		[10,000]
		Expandable structures for operational effectiveness research		[5,000]

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Line	Program Element	Item	FY 2021 Request	House Authorized
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	167,590	167,590
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,715	30,715
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	160,537	160,537
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	76,745	76,745
		SUBTOTAL APPLIED RESEARCH	**953,175**	**1,033,175**
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	24,410	29,410
		Additive manufacturing		[5,000]
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,008	8,008
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	219,045	249,045
		Expeditionary autonomous logistics		[5,000]
		Heavy payload solar powered UAS		[20,000]
		Modular Advanced Armed Robotic System		[5,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,301	13,301
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	246,054	246,054
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,122	60,122
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,851	4,851
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	40,709	40,709
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,948	1,948
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	141,948	161,948
		Accelerated railgun technology maturation		[20,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**760,396**	**815,396**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS)	464,042	270,442
		EPF conversion to LUSV prototype		[45,000]
		Two additional Overlord vessels excess to need		[–238,600]
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	35,386	35,386
029	0603216N	AVIATION SURVIVABILITY	13,428	13,428
030	0603239N	ISO NAVAL CONSTRUCTION FORCES	2,350	2,350
031	0603251N	AIRCRAFT SYSTEMS	418	418
032	0603254N	ASW SYSTEMS DEVELOPMENT	15,719	15,719
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,411	3,411
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	70,218	70,218
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	52,358	52,358
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	12,816	12,816
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,559	7,559
038	0603525N	PILOT FISH	358,757	278,557
		Excess cost growth		[–25,000]
		Program adjustment		[–55,200]
039	0603527N	RETRACT LARCH	12,562	12,562
040	0603536N	RETRACT JUNIPER	148,000	148,000
041	0603542N	RADIOLOGICAL CONTROL	778	778
042	0603553N	SURFACE ASW	1,161	1,161
043	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	185,356	90,356
		Excessive accelerated development		[–28,200]
		Project 1 insufficient budget justification		[–66,800]
044	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
045	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	136,396
		Expeditionary sustainment and repair-related technologies		[5,000]
		Polymorphic build farm for open source technologies		[5,000]
046	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	70,270	70,270
047	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	149,188	149,188
048	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	38,449	38,449
049	0603576N	CHALK EAGLE	71,181	71,181
050	0603581N	LITTORAL COMBAT SHIP (LCS)	32,178	32,178
051	0603582N	COMBAT SYSTEM INTEGRATION	17,843	17,843
052	0603595N	OHIO REPLACEMENT	317,196	317,196
053	0603596N	LCS MISSION MODULES	67,875	67,875
054	0603597N	AUTOMATED TEST AND ANALYSIS	4,797	4,797
055	0603599N	FRIGATE DEVELOPMENT	82,309	82,309
056	0603609N	CONVENTIONAL MUNITIONS	9,922	9,922
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	189,603	182,603
		Program delay		[–7,000]
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,084	43,084
059	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,346	6,346
060	0603721N	ENVIRONMENTAL PROTECTION	20,601	20,601
061	0603724N	NAVY ENERGY PROGRAM	23,422	23,422
062	0603725N	FACILITIES IMPROVEMENT	4,664	4,664
063	0603734N	CHALK CORAL	545,763	520,763
		Excess cost growth		[–25,000]
064	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,884	3,884
065	0603746N	RETRACT MAPLE	353,226	353,226
066	0603748N	LINK PLUMERIA	544,388	519,388
		Excess cost growth		[–25,000]
067	0603751N	RETRACT ELM	86,730	86,730
068	0603764M	LINK EVERGREEN	236,234	236,234
070	0603790N	NATO RESEARCH AND DEVELOPMENT	6,880	6,880
071	0603795N	LAND ATTACK TECHNOLOGY	10,578	10,578
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,435	28,435
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	33,612	33,612

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074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	128,845	216,845
		One additional system		[88,000]
075	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	84,190	84,190
076	0604027N	DIGITAL WARFARE OFFICE	54,699	54,699
077	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	53,942	53,942
078	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	40,060	40,060
079	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	12,100	12,100
080	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Early to need, phase 1 results needed first		[–36,000]
081	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	107,895	107,895
082	0604126N	LITTORAL AIRBORNE MCM	17,366	17,366
083	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	59,776	59,776
086	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,097	5,097
087	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	3,664	3,664
088	0604454N	LX (R)	10,203	10,203
089	0604536N	ADVANCED UNDERSEA PROTOTYPING	115,858	105,858
		XLUUV late test and evaluation award		[–10,000]
090	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	14,259	14,259
091	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	1,102,387	1,087,387
		Transition to DDG–1000—initial integration		[–15,000]
092	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	7,657	7,657
093	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	35,750	35,750
094	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,151	9,151
095	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	22,589	6,989
		K-MAX		[7,000]
		MUX uncertain acquisition strategy		[–22,600]
097	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	809	809
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,503,074**	**6,098,674**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
098	0603208N	TRAINING SYSTEM AIRCRAFT	4,332	4,332
099	0604212N	OTHER HELO DEVELOPMENT	18,133	18,133
100	0604214M	AV–8B AIRCRAFT—ENG DEV	20,054	20,054
101	0604215N	STANDARDS DEVELOPMENT	4,237	4,237
102	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	27,340	27,340
104	0604221N	P–3 MODERNIZATION PROGRAM	606	606
105	0604230N	WARFARE SUPPORT SYSTEM	9,065	9,065
106	0604231N	TACTICAL COMMAND SYSTEM	97,968	97,968
107	0604234N	ADVANCED HAWKEYE	309,373	309,373
108	0604245M	H–1 UPGRADES	62,310	62,310
109	0604261N	ACOUSTIC SEARCH SENSORS	47,182	47,182
110	0604262N	V–22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA–18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	487,680
		High band risk reduction		[10,000]
116	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	232,818	232,818
117	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	170,039	170,039
118	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	403,712	403,712
119	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	945	945
120	0604329N	SMALL DIAMETER BOMB (SDB)	62,488	62,488
121	0604366N	STANDARD MISSILE IMPROVEMENTS	386,225	359,225
		SM–6 excessive cost growth; program accountability		[–27,000]
122	0604373N	AIRBORNE MCM	10,909	10,909
123	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	44,548	44,548
124	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	13,673	13,673
125	0604501N	ADVANCED ABOVE WATER SENSORS	87,809	87,809
126	0604503N	SSN–688 AND TRIDENT MODERNIZATION	93,097	111,097
		Submarine electronic warfare capability improvement		[18,000]
127	0604504N	AIR CONTROL	38,863	38,863
128	0604512N	SHIPBOARD AVIATION SYSTEMS	9,593	9,593
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	12,718	12,718
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	78,319	78,319
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	65,834	65,834
132	0604558N	NEW DESIGN SSN	259,443	282,943
		Accelerate design		[23,500]
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	63,878	63,878
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	51,853	66,453
		Advanced Degaussing System		[14,600]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,853	3,853
136	0604601N	MINE DEVELOPMENT	92,607	65,107
		Forward funded in FY20		[–27,500]
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	146,012	146,012
138	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,383	8,383
139	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	33,784	33,784
140	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	8,599	8,599
141	0604727N	JOINT STANDOFF WEAPON SYSTEMS	73,744	73,744
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	157,490	157,490
143	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	121,761	121,761

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144	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	89,373	89,373
145	0604761N	INTELLIGENCE ENGINEERING	15,716	15,716
146	0604771N	MEDICAL DEVELOPMENT	2,120	22,120
		Autonomous aerial distributed logistics		[10,000]
		ETEC disease research		[10,000]
147	0604777N	NAVIGATION/ID SYSTEM	50,180	50,180
148	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	561	561
149	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	250	250
150	0604850N	SSN(X)	1,000	1,000
151	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	974	974
152	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	356,173	351,173
		Unjustified growth		[–5,000]
153	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,810	7,810
154	0605212M	CH–53K RDTE	406,406	406,406
155	0605215N	MISSION PLANNING	86,134	86,134
156	0605217N	COMMON AVIONICS	54,540	54,540
157	0605220N	SHIP TO SHORE CONNECTOR (SSC)	5,155	5,155
158	0605327N	T-AO 205 CLASS	5,148	5,148
159	0605414N	UNMANNED CARRIER AVIATION (UCA)	266,970	266,970
160	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	12,713	12,713
161	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	24,424	24,424
162	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,870	182,870
163	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	41,775	41,775
164	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION	2,541	2,541
165	0204202N	DDG–1000	208,448	223,448
		Transfer from CPS—initial integration		[15,000]
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,173	26,173
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,263,883**	**6,305,483**
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	**991,222**	**991,222**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F–35 C2D2	379,549	341,649
		Block IV/TR3 upgrade delays		[–37,900]
201	0604840N	F–35 C2D2	413,875	372,475
		Block IV/TR3 upgrade delays		[–41,400]
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	143,667	143,667
204	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	173,056	173,056
205	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,970	45,970
206	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	69,190	74,190
		Next-generation countermeasure acoustic device		[5,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS	42,277	42,277
208	0204136N	F/A–18 SQUADRONS	171,030	175,030
		Jet noise reduction		[4,000]
210	0204228N	SURFACE SUPPORT	33,482	33,482
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	200,308	200,308
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	102,975	102,975
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,713	1,713
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	22,205	22,205
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	83,956	83,956
218	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	56,791	56,791
219	0205601N	HARM IMPROVEMENT	146,166	146,166
221	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,348	29,348
222	0205632N	MK–48 ADCAP	110,349	110,349
223	0205633N	AVIATION IMPROVEMENTS	133,953	133,953
224	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	110,313	110,313
225	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	207,662	207,662
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

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229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	29,977	29,977
230	0206629M	AMPHIBIOUS ASSAULT VEHICLE	6,469	6,469
231	0207161N	TACTICAL AIM MISSILES	5,859	5,859
232	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	44,323	44,323
236	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,978	46,978
		Interference mitigation technology, test and verification		[5,000]
237	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	29,684	29,684
238	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	39,094	39,094
239	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,154	6,154
240	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,108	7,108
241	0305205N	UAS INTEGRATION AND INTEROPERABILITY	62,098	62,098
242	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	21,500	21,500
244	0305220N	MQ–4C TRITON	11,120	11,120
245	0305231N	MQ–8 UAV	28,968	28,968
246	0305232M	RQ–11 UAV	537	537
247	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	8,773	8,773
248	0305239M	RQ–21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	34,967	34,967
252	0305421N	RQ–4 MODERNIZATION	178,799	178,799
253	0307577N	INTELLIGENCE MISSION DATA (IMD)	2,120	2,120
254	0308601N	MODELING AND SIMULATION SUPPORT	8,683	8,683
255	0702207N	DEPOT MAINTENANCE (NON-IF)	45,168	45,168
256	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,697	6,697
257	1203109N	SATELLITE COMMUNICATIONS (SPACE)	70,056	70,056
257A	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,327,043**	**5,261,743**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	14,300	14,300
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**25,168**	**25,168**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**21,427,048**	**21,138,948**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	315,348	315,348
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	166,861
		Solar block research		[5,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	**492,294**	**497,294**
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
005	0602102F	MATERIALS	140,781	165,781
		Advanced materials manufacturing flexible biosensors		[5,000]
		Metals affordability research		[15,000]
		Thermal protection systems		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	374,225
		Advanced batteries for directed energy		[5,000]
		High speed expendable turbine development		[5,000]
		On-orbit propulsion technologies		[5,000]
		Secure unmanned aerial vehicles		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	115,222	115,222
009	0602204F	AEROSPACE SENSORS	211,301	211,301
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	8,926	8,926
012	0602602F	CONVENTIONAL MUNITIONS	132,425	132,425
013	0602605F	DIRECTED ENERGY TECHNOLOGY	128,113	128,113
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	178,668	208,668
		Counter UAS platform integration testbed		[5,000]
		Quantum Innovation Center		[5,000]
		Quantum network testbed		[10,000]
		Trusted UAS traffic management and C-UAS testbed		[10,000]
015	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	**1,409,749**	**1,489,749**
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS	103,280	110,280
		Agile composite manufacturing initiatives		[5,000]
		Foam engine wash		[2,000]
018	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	157,619	127,619
		Inappropriate use of S&T funds for Golden Horde demonstration & validation		[–30,000]
019	0603033F	NEXT GEN PLATFORM DEV/DEMO	199,556	199,556
020	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH	102,276	102,276
021	0603035F	NEXT GEN EFFECTS DEV/DEMOS	215,817	215,817
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**778,548**	**755,548**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
038	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,320	4,320
039	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	26,396	26,396

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040	0603790F	NATO RESEARCH AND DEVELOPMENT	3,647	3,647
041	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	32,959	32,959
043	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	869	869
044	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	302,323	216,823
		Unjustified costs		[–85,500]
045	0604004F	ADVANCED ENGINE DEVELOPMENT	636,495	636,495
046	0604015F	LONG RANGE STRIKE—BOMBER	2,848,410	2,828,410
		Transfer to APA line 025A		[–20,000]
047	0604032F	DIRECTED ENERGY PROTOTYPING	20,964	20,964
048	0604033F	HYPERSONICS PROTOTYPING	381,862	381,862
050	0604257F	ADVANCED TECHNOLOGY AND SENSORS	24,747	24,747
051	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	76,417	76,417
052	0604317F	TECHNOLOGY TRANSFER	3,011	3,011
053	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	52,921	52,921
054	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	69,783	69,783
055	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,835	25,835
056	0604858F	TECH TRANSITION PROGRAM	219,252	249,252
		Program increase—LCAAT prototyping		[30,000]
057	0605230F	GROUND BASED STRATEGIC DETERRENT	1,524,759	1,524,759
059	0207110F	NEXT GENERATION AIR DOMINANCE	1,044,089	1,044,089
060	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,356	19,356
061	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	8,737	8,737
062	0208099F	UNIFIED PLATFORM (UP)	5,990	5,990
063	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	39,293	39,293
065	0305601F	MISSION PARTNER ENVIRONMENTS	11,430	11,430
066	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	259,823	259,823
067	0306415F	ENABLED CYBER ACTIVITIES	10,560	10,560
068	0401310F	C–32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,908	9,908
069	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	8,662	8,662
074	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	8,787	8,787
077	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,311	56,311
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**7,737,916**	**7,662,416**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
082	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	25,161	25,161
083	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	38,564	38,564
084	0604222F	NUCLEAR WEAPONS SUPPORT	35,033	35,033
085	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,098	2,098
086	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	131,909	131,909
087	0604287F	PHYSICAL SECURITY EQUIPMENT	6,752	6,752
088	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	17,280	17,280
090	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	23,076	23,076
091	0604604F	SUBMUNITIONS	3,091	3,091
092	0604617F	AGILE COMBAT SUPPORT	20,609	20,609
093	0604618F	JOINT DIRECT ATTACK MUNITION	7,926	7,926
094	0604706F	LIFE SUPPORT SYSTEMS	23,660	23,660
095	0604735F	COMBAT TRAINING RANGES	8,898	8,898
096	0604800F	F–35—EMD	5,423	423
		Excess SDD funding		[–5,000]
097	0604932F	LONG RANGE STANDOFF WEAPON	474,430	474,430
098	0604933F	ICBM FUZE MODERNIZATION	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING	248,669	248,669
103	0605229F	COMBAT RESCUE HELICOPTER	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION	9,683	9,683
106	0207171F	F–15 EPAWSS	170,679	155,979
		Cost growth		[–14,700]
107	0207328F	STAND IN ATTACK WEAPON	160,438	142,738
		Unjustified cost increase		[–17,700]
108	0207701F	FULL COMBAT MISSION TRAINING	9,422	9,422
110	0305176F	COMBAT SURVIVOR EVADER LOCATOR	973	973
111	0401221F	KC–46A TANKER SQUADRONS	106,262	86,262
		Slow execution		[–20,000]
113	0401319F	VC–25B	800,889	800,889
114	0701212F	AUTOMATED TEST SYSTEMS	10,673	10,673
115	0804772F	TRAINING DEVELOPMENTS	4,479	4,479
116	0901299F	AF A1 SYSTEMS	8,467	8,467
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,615,359**	**2,557,959**
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT	208,680	208,680
133	0605101F	RAND PROJECT AIR FORCE	35,803	35,803
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,557	13,557
136	0605807F	TEST AND EVALUATION SUPPORT	764,606	754,606
		Program decrease		[–10,000]
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	1,362,038	1,362,038
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	40,768	40,768
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	179,646	179,646
145	0605898F	MANAGEMENT HQ—R&D	5,734	5,734
146	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	70,985	70,985
147	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	29,880	29,880

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148	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	63,381	63,381
149	0606398F	MANAGEMENT HQ—T&E	5,785	5,785
150	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	24,564	24,564
151	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	9,883	9,883
152	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	13,384	13,384
153	0804731F	GENERAL SKILL TRAINING	1,262	1,262
155	1001004F	INTERNATIONAL ACTIVITIES	3,599	3,599
		SUBTOTAL MANAGEMENT SUPPORT	**2,891,280**	**2,881,280**
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F–35 C2D2	785,336	706,836
		Block IV/TR3 upgrade delays		[–78,500]
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	27,035	27,035
167	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,508	50,508
168	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,229	71,229
169	0605278F	HC/MC–130 RECAP RDT&E	24,705	24,705
170	0606018F	NC3 INTEGRATION	26,356	26,356
172	0101113F	B–52 SQUADRONS	520,023	338,523
		GPS-IU contract delays		[–10,000]
		No acquisition strategy for AEHF		[–2,500]
		Radar modernization program contract delays		[–40,000]
		Virtual prototype contract delay		[–125,000]
		VLF/LF contract delays		[–4,000]
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	1,433	1,433
174	0101126F	B–1B SQUADRONS	15,766	15,766
175	0101127F	B–2 SQUADRONS	187,399	187,399
		Airspace compliance contract delays		[–2,000]
		JASSM-ER Milestone B delay		[–5,000]
		Virtual training		[7,000]
176	0101213F	MINUTEMAN SQUADRONS	116,569	116,569
177	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	27,235	27,235
178	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	24,227	24,227
179	0101328F	ICBM REENTRY VEHICLES	112,753	112,753
181	0102110F	UH–1N REPLACEMENT PROGRAM	44,464	44,464
182	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,929	5,929
183	0102412F	NORTH WARNING SYSTEM (NWS)	100	100
184	0205219F	MQ–9 UAV	162,080	162,080
186	0207131F	A–10 SQUADRONS	24,535	24,535
187	0207133F	F–16 SQUADRONS	223,437	223,437
188	0207134F	F–15E SQUADRONS	298,908	298,908
189	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,960	14,960
190	0207138F	F–22A SQUADRONS	665,038	648,938
		Software delays		[–16,100]
191	0207142F	F–35 SQUADRONS	132,229	129,629
		Unjustified USAF ALIS unique funding		[–2,600]
192	0207146F	F–15EX	159,761	159,761
193	0207161F	TACTICAL AIM MISSILES	19,417	19,417
194	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,799	51,799
195	0207227F	COMBAT RESCUE—PARARESCUE	669	669
196	0207247F	AF TENCAP	21,644	21,644
197	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	9,261	9,261
198	0207253F	COMPASS CALL	15,854	15,854
199	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	95,896	95,896
200	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	70,792	70,792
201	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	51,187	51,187
202	0207412F	CONTROL AND REPORTING CENTER (CRC)	16,041	16,041
203	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	138,303	138,303
204	0207418F	AFSPECWAR—TACP	4,223	4,223
206	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	16,564	16,564
207	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,858	7,858
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,906	12,906
210	0207452F	DCAPES	14,816	14,816
211	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,970	1,970
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	396	396
213	0207590F	SEEK EAGLE	29,680	29,680
214	0207601F	USAF MODELING AND SIMULATION	17,666	17,666
215	0207605F	WARGAMING AND SIMULATION CENTERS	6,353	6,353
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	6,827	6,827
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,390	3,390
218	0208006F	MISSION PLANNING SYSTEMS	91,768	91,768
219	0208007F	TACTICAL DECEPTION	2,370	2,370
220	0208064F	OPERATIONAL HQ—CYBER	5,527	5,527
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	68,279	68,279
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	15,165	15,165
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	38,480	38,480
224	0208099F	UNIFIED PLATFORM (UP)	84,645	84,645
230	0301025F	GEOBASE	2,767	2,767
231	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	32,759	32,759
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	2,904	2,904
239	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	3,468	3,468

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240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	61,887	61,887
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	10,351	10,351
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	1,346	1,346
246	0304260F	AIRBORNE SIGINT ENTERPRISE	128,110	120,110
		Program decrease		[–8,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,042	4,042
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,649	1,649
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,265	19,265
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,645	4,645
254	0305103F	CYBER SECURITY INITIATIVE	384	384
255	0305111F	WEATHER SERVICE	23,640	30,640
		Commercial weather pilot		[7,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	6,553	6,553
257	0305116F	AERIAL TARGETS	449	449
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	432	432
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	4,890	4,890
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,864	8,864
265	0305202F	DRAGON U–2	18,660	18,660
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	121,512	139,512
		Gorgon Stare Wide Area Motion Imagery program increase		[10,000]
		Sensor Open Systems Architecture		[8,000]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,711	14,711
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,152	14,152
270	0305220F	RQ–4 UAV	134,589	134,589
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	15,049	15,049
272	0305238F	NATO AGS	36,731	36,731
273	0305240F	SUPPORT TO DCGS ENTERPRISE	33,547	33,547
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	13,635	13,635
275	0305881F	RAPID CYBER ACQUISITION	4,262	4,262
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,207	2,207
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,277	6,277
278	0401115F	C–130 AIRLIFT SQUADRON	41,973	41,973
279	0401119F	C–5 AIRLIFT SQUADRONS (IF)	32,560	32,560
280	0401130F	C–17 AIRCRAFT (IF)	9,991	9,991
281	0401132F	C–130J PROGRAM	10,674	10,674
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,507	5,507
283	0401218F	KC–135S	4,591	4,591
286	0401318F	CV–22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	35,225
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	11,838	11,838
293	0804743F	OTHER FLIGHT TRAINING	1,332	1,332
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,092	2,092
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,869	3,869
297	0901220F	PERSONNEL ADMINISTRATION	1,584	1,584
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,197	1,197
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	7,006	7,006
300	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	1,889	0
		Transfer to Space Force		[–1,889]
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TW/AA SYSTEM	6,990	6,990
322A	9999999999	CLASSIFIED PROGRAMS	15,777,856	15,777,856
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**21,466,680**	**21,203,091**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**37,391,826**	**37,047,337**
		RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE		
		APPLIED RESEARCH		
001	1206601SF	SPACE TECHNOLOGY	130,874	164,874
		Ground based optical GEO surveillance		[5,000]
		Rapid development of low-cost, small satellite technology		[20,000]
		Small satellite mission operations center		[9,000]
		SUBTOTAL APPLIED RESEARCH	**130,874**	**164,874**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
002	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	390,704	390,704
003	1203710SF	EO/IR WEATHER SYSTEMS	131,000	106,000
		Program reduction for phase 2 risk reduction Spec OT2		[–25,000]
004	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
005	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
006	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
007	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
008	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	109,390
		Unjustified growth		[–5,000]
009	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	200,178
		Unjustified growth		[–5,000]
010	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395

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011	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,311,311**	**1,276,311**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
012	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	263,496	253,496
		Execution lagging		[–10,000]
013	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
014	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
015	1206422SF	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
016	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
017	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
018	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
019	1206442SF	NEXT GENERATION OPIR	2,318,864	2,269,864
		Block 0 GEO unjustified cost growth		[–20,000]
		Program decrease		[–29,000]
020	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	560,978	710,978
		Program increase		[150,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,744,016**	**3,835,016**
		MANAGEMENT SUPPORT		
021	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
022	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
023	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
024	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	27,993
		Tactically Responsive Launch Operations		[10,000]
025	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	**258,510**	**268,510**
		OPERATIONAL SYSTEM DEVELOPMENT		
026	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	5,597
		Transfer from Air Force		[1,889]
027	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	237,229
		Program decrease		[–10,000]
028	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	60,480
		Program decrease		[–15,000]
029	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	1,984	1,984
030	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,397	4,397
031	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	44,746	39,746
		Underexecution		[–5,000]
032	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,020	16,020
		Space launch range services and capabilities		[5,000]
033	1203265SF	GPS III SPACE SEGMENT	10,777	10,777
034	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	28,179	28,179
035	1203913SF	NUDET DETECTION SYSTEM (SPACE)	29,157	29,157
036	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	44,809	39,809
		Underexecution		[–5,000]
037	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	481,999	471,999
		Program decrease		[–5,000]
		Unjustified growth		[–5,000]
041	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
041A	9999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,733,142**	**4,695,031**
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
042	1203614SF	JSPOC MISSION SYSTEM	149,742	129,742
		Unjustified increase; transfer to commercial Space Domain Awareness Services and Data		[–20,000]
42A	9999999999	COMMERCIAL SATCOM		45,000
		Commercial polar space-based proliferated LEO broadband services and demonstrations		[25,000]
		Increase for commercial space domain awareness services and data		[20,000]
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	**149,742**	**174,742**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE	**10,327,595**	**10,414,484**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
002	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958
003	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	57,565
		Restore Minerva research initiative		[17,000]
		START research consortium of excellence for irregular warfare and advanced analytics		[5,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	53,730
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	105,241
		Civics education pilot		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	30,975	50,975
		PIPELINE program		[3,000]
		Program increase		[17,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	**760,386**	**807,386**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	24,409
		New energetic materials design		[5,000]

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009	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
011	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
012	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	60,722	60,722
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	403,920
		Program decrease		[–32,000]
015	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	206,807
		Treatment testing technology for nuclear, chemical, and biological exposure		[5,000]
017	0602668D8Z	CYBER SECURITY RESEARCH	15,255	15,255
018	0602702E	TACTICAL TECHNOLOGY	233,271	233,271
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	250,107	250,107
020	0602716E	ELECTRONICS TECHNOLOGY	322,693	322,693
021	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	174,571	174,571
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	9,573	9,573
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	42,464	47,464
		Sustained Human Performance and Resilience		[5,000]
		SUBTOTAL APPLIED RESEARCH	**1,976,390**	**1,959,390**
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	22,920	22,920
025	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,914	4,914
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	51,089	51,089
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,183	25,183
029	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT	366,659	366,659
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	14,910	64,910
		Restore low power laser demonstrator		[50,000]
032	0603180C	ADVANCED RESEARCH	18,687	28,687
		Program increase		[10,000]
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,873	18,873
034	0603286E	ADVANCED AEROSPACE SYSTEMS	230,978	230,978
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	158,439	158,439
036	0603288D8Z	ANALYTIC ASSESSMENTS	23,775	23,775
037	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	36,524	36,524
038	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	14,703	14,703
039	0603294C	COMMON KILL VEHICLE TECHNOLOGY	11,058	11,058
040	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	133,375	133,375
042	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	26,141	26,141
043	0603375D8Z	TECHNOLOGY INNOVATION	27,709	27,709
044	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	188,001	188,001
045	0603527D8Z	RETRACT LARCH	130,283	130,283
046	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	15,164	15,164
047	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	85,452	85,452
048	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	5,882	5,882
049	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	93,817	143,817
		Accelerating rapid prototyping by integrating high performance computing and advanced manufacturing.		[5,000]
		Additive manufacturing training		[5,000]
		Advanced structural manufacturing technologies		[30,000]
		Flexible hybrid electronics		[5,000]
		Hypersonic thermal management research		[5,000]
050	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,025	40,025
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,235	10,235
053	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,862	158,862
		AFFF replacement		[50,000]
		PFAS Innovation Award Fund		[5,000]
		PFAS remediation and disposal technology		[50,000]
054	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	124,049	124,049
055	0603727D8Z	JOINT WARFIGHTING PROGRAM	3,871	3,871
056	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	95,864	95,864
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	221,724	221,724
058	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	661,158	661,158
059	0603767E	SENSOR TECHNOLOGY	200,220	200,220
060	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	6,765	6,765
061	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	12,598	12,598
064	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	105,410	105,410
065	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	187,065	187,065
		Directed energy test workloads		
066	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK		40,000
		Restore program		[40,000]
067	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT		65,000
		Program increase		[65,000]
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	94,072
		SOF 3–D printing technologies		[5,000]
071	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**3,588,876**	**3,913,876**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
072	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	32,636	32,636
073	0603600D8Z	WALKOFF	106,529	106,529
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	61,345	113,345
		PFAS remediation and disposal technology		[50,000]

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		Program increase		[2,000]
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	412,627	312,627
		Insufficient justification—homeland defense underlay		[–100,000]
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,004,305	919,305
		Unjustified growth—RKV cancellation		[–85,000]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	76,167	81,167
		Decontamination technologies for civilian pandemic preparedness		[5,000]
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	281,957	281,957
080	0603890C	BMD ENABLING PROGRAMS	599,380	599,380
081	0603891C	SPECIAL PROGRAMS—MDA	420,216	420,216
082	0603892C	AEGIS BMD	814,936	804,936
		Program decrease		[–10,000]
083	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	593,353	593,353
084	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,560	49,560
085	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	55,356	55,356
086	0603906C	REGARDING TRENCH	11,863	11,863
087	0603907C	SEA BASED X-BAND RADAR (SBX)	118,318	118,318
088	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
089	0603914C	BALLISTIC MISSILE DEFENSE TEST	378,302	378,302
090	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	536,133	536,133
092	0603923D8Z	COALITION WARFARE	10,129	10,129
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	449,000	400,000
		Program decrease for Restoring S&T		[–49,000]
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,325	3,325
095	0604115C	TECHNOLOGY MATURATION INITIATIVES	67,389	67,389
098	0604181C	HYPERSONIC DEFENSE	206,832	206,832
099	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	730,508	729,508
		Micro nuclear reactors		[50,000]
		Program decrease for Restoring S&T		[–51,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	489,076	489,076
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	102,023	82,023
		Program decrease for Restoring S&T		[–20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	13,255	16,255
		Talent optimization pilot program		[3,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)		130,000
		Continue radar development and siting efforts		[130,000]
107	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,469	3,469
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	19,190	19,190
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,256	137,256
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	664,138	414,138
		Delayed NGI contract award		[–250,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	7,768	7,768
113	0604878C	AEGIS BMD TEST	170,880	95,880
		Unjustified cost growth		[–75,000]
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	76,456	76,456
115	0604880C	LAND-BASED SM–3 (LBSM3)	56,628	56,628
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	67,071	67,071
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,198	2,198
119	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	997	997
120	0305103C	CYBER SECURITY INITIATIVE	1,148	1,148
121	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	215,994	155,994
		HBTSS—transfer to 1206895C		[–20,000]
		Unjustified growth		[–40,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	32,068	152,068
		HBTSS—transfer from 1206410SDA		[20,000]
		HBTSS sensor payload development		[100,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,416,712**	**9,076,712**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	319,976
127	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	54,985	54,985
128	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	15,650	15,650
129	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,441	1,441
130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	12,928	12,928
132	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	10,259	10,259
133	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	1,377	1,377
134	0605075D8Z	CMO POLICY AND INTEGRATION	1,648	1,648
135	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	20,537	20,537
136	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	1,638	1,638
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	5,500	5,500
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	8,279	8,279
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	107,585	107,585
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,685	3,685
143	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,275	3,275
144	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	20,585	20,585
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**603,808**	**603,808**

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		MANAGEMENT SUPPORT		
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	422,451	435,451
		Gulf Test range and training enhancements		[13,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS	18,379	18,379
150	0605001E	MISSION SUPPORT	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	79,046	79,046
153	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	50,255	50,255
155	0605142D8Z	SYSTEMS ENGINEERING	49,376	49,376
156	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,777	5,777
157	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	16,552	16,552
158	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,582	9,582
159	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,940	1,940
160	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	122,951	122,951
167	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,582	3,582
168	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	29,566	29,566
169	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	29,059	29,059
170	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	59,369	16,069
		Program decrease		[–43,300]
171	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	29,420	29,420
172	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,198	27,198
173	0605898E	MANAGEMENT HQ—R&D	13,434	13,434
174	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	2,837	2,837
175	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	13,173	13,173
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,200	3,200
177	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	999	999
180	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,099	3,099
181	0204571J	JOINT STAFF ANALYTICAL SUPPORT	3,058	3,058
182	0208045K	C4I INTEROPERABILITY	59,813	59,813
185	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	1,112	1,112
186	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	545	545
187	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,036	1,036
188	0305172K	COMBINED ADVANCED APPLICATIONS	30,824	30,824
190	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,048	3,048
194	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA	31,125	31,125
195	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)	100	100
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902
197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
198A	9999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	**1,297,392**	**1,267,092**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,986	1,986
202	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	316	316
203	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	9,151	79,151
		Autotune filter manufacturing scale-up for advanced offboard electronic warfare		[10,000]
		Domestic organic light emitting diode microdisplay manufacturing		[5,000]
		Domestic rare earth magnet capability		[5,000]
		Domestic tungsten		[5,000]
		Program increase		[15,000]
		Radar supplier resiliency plan		[5,000]
		Submarine workforce development and training		[20,000]
		Ultra-hard armor		[5,000]
204	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	19,082	19,082
205	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	3,992	3,992
206	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	39,530	39,530
207	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,039	3,039
212	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,324	16,324
213	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,884	11,884
214	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,560	5,560
215	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	73,356	73,356
216	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	46,577	46,577
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	356,713	336,713
		GenCyber		[20,000]
		Program decrease		[–40,000]
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,922	8,922
219	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	3,695	3,695
220	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,113	20,113
223	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,728	0
		Program decrease		[–9,728]
231	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	5,700	5,700
235	0305186D8Z	POLICY R&D PROGRAMS	7,144	7,144
236	0305199D8Z	NET CENTRICITY	21,793	21,793
238	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,066	6,066

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245	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,190	2,190
252	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,654	1,654
253	0708012S	PACIFIC DISASTER CENTERS	1,785	1,785
254	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	7,301	7,301
256	1105219BB	MQ–9 UAV	21,265	21,265
258	1160403BB	AVIATION SYSTEMS	230,812	230,812
259	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	19,558	19,558
260	1160408BB	OPERATIONAL ENHANCEMENTS	136,041	151,041
		Machine learning and AI technologies to enable operational maneuver		[10,000]
		Modular expeditionary compact high-energy lasers		[5,000]
261	1160431BB	WARRIOR SYSTEMS	59,511	94,511
		Increased research for cUAS in austere locations abroad		[35,000]
262	1160432BB	SPECIAL PROGRAMS	10,500	10,500
263	1160434BB	UNMANNED ISR	19,154	19,154
264	1160480BB	SOF TACTICAL VEHICLES	9,263	9,263
265	1160483BB	MARITIME SYSTEMS	59,882	59,882
266	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,606	4,606
267	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,612	11,612
268	1203610K	TELEPORT PROGRAM	3,239	3,239
268A	9999999999	CLASSIFIED PROGRAMS	4,746,466	4,746,466
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**6,161,946**	**6,252,218**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	76,750
		Program decrease		[–10,000]
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM	250,107	200,107
		Program decrease		[–50,000]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**475,381**	**415,381**
		UNDISTRIBUTED		
273A	9999999999	PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND		1,000,000
		Program increase		[1,000,000]
		SUBTOTAL UNDISTRIBUTED		**1,000,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**24,280,891**	**25,295,863**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	100,021	100,021
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	70,933	70,933
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	39,136	39,136
		SUBTOTAL MANAGEMENT SUPPORT	**210,090**	**210,090**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**210,090**	**210,090**
		TOTAL RDT&E	**106,224,793**	**106,489,628**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		APPLIED RESEARCH		
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	**2,000**	**2,000**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,520**	**2,520**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	27,000	27,000
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	2,300	2,300
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,625	64,625
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,900	3,900
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**97,825**	**97,825**
		MANAGEMENT SUPPORT		
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	4,137	4,137
		SUBTOTAL MANAGEMENT SUPPORT	**5,137**	**5,137**
		OPERATIONAL SYSTEMS DEVELOPMENT		

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
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		
039	0603527N	RETRACT LARCH	36,500	36,500
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,461	14,461
063	0603734N	CHALK CORAL	3,000	3,000
071	0603795N	LAND ATTACK TECHNOLOGY	1,457	1,457
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**55,418**	**55,418**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,144	1,144
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**1,144**	**1,144**
		OPERATIONAL SYSTEMS DEVELOPMENT		
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	3,000	3,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,000**	**3,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**59,562**	**59,562**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,304**	**5,304**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**5,304**	**5,304**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		APPLIED RESEARCH		
010	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
		SUBTOTAL APPLIED RESEARCH	**3,699**	**3,699**
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
028	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**23,149**	**23,149**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
097	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**19,931**	**19,931**
		OPERATIONAL SYSTEMS DEVELOPMENT		
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
268A	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**36,039**	**36,039**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**82,818**	**82,818**
		TOTAL RDT&E	**330,508**	**330,508**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	159,834	143,834
	Unjustified funding for Dynamic Force Employment		[–16,000]
030	ECHELONS ABOVE BRIGADE	663,751	660,951
	Unjustified funding for Dynamic Force Employment		[–2,800]
040	THEATER LEVEL ASSETS	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT	1,157,635	1,167,984
	Establishment of Joint CUAS Office		[10,349]
060	AVIATION ASSETS	1,453,024	1,403,024
	Unjustified funding for Dynamic Force Employment		[–50,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
070	FORCE READINESS OPERATIONS SUPPORT	4,713,660	4,713,660
080	LAND FORCES SYSTEMS READINESS	404,161	404,161
090	LAND FORCES DEPOT MAINTENANCE	1,413,359	1,513,359
	Program increase for depot maintenance activities		[100,000]
100	BASE OPERATIONS SUPPORT	8,220,093	8,320,093
	Child Youth Services program increase		[100,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,581,071	3,647,387
	Program increase for additional facility requirements		[66,316]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	411,844	411,844
160	US AFRICA COMMAND	239,387	239,387
170	US EUROPEAN COMMAND	160,761	160,761
180	US SOUTHERN COMMAND	197,826	197,826
190	US FORCES KOREA	65,152	65,152
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	430,109	430,109
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	464,117	464,117
	SUBTOTAL OPERATING FORCES	**24,692,261**	**24,900,126**
	MOBILIZATION		
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653
	SUBTOTAL MOBILIZATION	**730,195**	**730,195**
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	672,612
	Program decrease		[–50,000]
340	EXAMINING	185,522	185,522
350	OFF-DUTY AND VOLUNTARY EDUCATION	221,503	221,503
360	CIVILIAN EDUCATION AND TRAINING	154,651	154,651
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,286	173,286
	SUBTOTAL TRAINING AND RECRUITING	**5,299,957**	**5,249,957**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	491,926	491,926
400	CENTRAL SUPPLY ACTIVITIES	812,613	812,613
410	LOGISTIC SUPPORT ACTIVITIES	676,178	676,178
420	AMMUNITION MANAGEMENT	437,774	437,774
430	ADMINISTRATION	438,048	433,048
	Program decrease		[–5,000]
440	SERVICEWIDE COMMUNICATIONS	1,638,872	1,628,872
	Reprioritization		[–10,000]
450	MANPOWER MANAGEMENT	300,046	300,046
460	OTHER PERSONNEL SUPPORT	701,103	701,103
470	OTHER SERVICE SUPPORT	1,887,133	1,852,493
	Servicewoman's Commemorative Partnership		[3,000]
	Transfer to DAWDF—reversal of DWR transfers		[–37,640]
480	ARMY CLAIMS ACTIVITIES	195,291	195,291
490	REAL ESTATE MANAGEMENT	229,537	229,537
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	306,370	306,370
510	INTERNATIONAL MILITARY HEADQUARTERS	373,030	373,030
520	MISC. SUPPORT OF OTHER NATIONS	32,719	32,719
565	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**9,590,555**	**9,540,915**
	UNDISTRIBUTED		
570	UNDISTRIBUTED		–231,457
	Foreign Currency adjustments		[–137,300]
	Historical unobligated balances		[–94,157]
	SUBTOTAL UNDISTRIBUTED		**–231,457**
	TOTAL OPERATION & MAINTENANCE, ARMY	**40,312,968**	**40,189,736**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	327,180	333,239

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Program increase for additional facility requirements		[6,059]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,745	2,745
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,438	7,438
	SUBTOTAL OPERATING FORCES	**2,825,366**	**2,831,425**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**109,351**	**109,351**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–10,100
	Historical unobligated balances		[–10,100]
	SUBTOTAL UNDISTRIBUTED		**–10,100**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,934,717**	**2,930,676**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	876,032	892,254
	Program increase for additional facility requirements		[16,222]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	7,998	7,998
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,756	7,756
	SUBTOTAL OPERATING FORCES	**7,008,170**	**7,024,392**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**411,844**	**411,844**
	UNDISTRIBUTED		
220	UNDISTRIBUTED		–19,900
	Historical unobligated balances		[–19,900]
	SUBTOTAL UNDISTRIBUTED		**–19,900**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,420,014**	**7,416,336**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,359,952
	Transfer to OCO		[–378,794]
020	FLEET AIR TRAINING	2,213,673	2,161,673
	Restoration of Congressional mark		[–52,000]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	57,144	57,144
040	AIR OPERATIONS AND SAFETY SUPPORT	171,949	171,949
050	AIR SYSTEMS SUPPORT	838,767	834,067
	Restoration of Congressional mark		[–4,700]
060	AIRCRAFT DEPOT MAINTENANCE	1,459,447	1,459,447
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	57,789	57,789
080	AVIATION LOGISTICS	1,264,665	1,234,430
	Restoration of Congressional mark		[–30,235]
090	MISSION AND OTHER SHIP OPERATIONS		–178,060
	Insufficient justification		[–195,000]
	Preservation of LCS 3 and LCS 4		[16,940]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,117,067	1,110,267
	Restoration of Congressional mark		[–6,800]
110	SHIP DEPOT MAINTENANCE	7,859,104	8,530,664
	Preservation of LCS 3 and LCS 4		[21,560]
	Realignment from Procurement for Ship Depot Maintenance Pilot		[650,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,262,196	2,261,796
	Preservation of LCS 3 and LCS 4		[12,600]
	Restoration of Congressional mark		[–13,000]
125	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN		90,000

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Realignment from Sustainment, Readiness, and Modernization		[90,000]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,521,360	1,502,360
	Restoration of Congressional mark		[–19,000]
140	SPACE SYSTEMS AND SURVEILLANCE	274,087	274,087
150	WARFARE TACTICS	741,609	741,609
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	401,382	401,382
170	COMBAT SUPPORT FORCES	1,546,273	936,273
	Restoration of Congressional mark		[–60,000]
	Transfer to OCO		[–550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS	61,484	61,484
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	102,330	124,130
	Indo-Pacific Counter-Terrorism Information Facility		[2,000]
	Indo-Pacific Special Operations Joint Task Force		[6,300]
	INDOPACOM Mission Command and Control (MPE-C2)		[13,500]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,810	8,810
220	CYBERSPACE ACTIVITIES	567,496	567,496
230	FLEET BALLISTIC MISSILE	1,428,102	1,428,102
240	WEAPONS MAINTENANCE	995,762	950,762
	Restoration of Congressional mark		[–45,000]
250	OTHER WEAPON SYSTEMS SUPPORT	524,008	524,008
260	ENTERPRISE INFORMATION	1,229,056	1,184,056
	Program decrease		[–25,000]
	Restoration of Congressional mark		[–20,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,453,099	3,427,045
	Program increase for additional facility requirements		[63,946]
	Realignment to Shipyard Infrastructure Optimization Plan		[–90,000]
280	BASE OPERATING SUPPORT	4,627,966	4,603,966
	Restoration of Congressional mark		[–24,000]
	SUBTOTAL OPERATING FORCES	**40,701,322**	**40,064,639**
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	849,993	657,900
	Realignment to National Defense Sealift Fund		[–314,193]
	Restoration of Congressional mark		[–20,000]
	Strategic sealift (MSC surge) annual operating result loss		[57,000]
	Surge sealift readiness		[85,100]
300	READY RESERVE FORCE	436,029	376,029
	Acquisition and conversion of additional used vessels		[60,000]
	Realignment to National Defense Sealift Fund		[–120,000]
310	SHIP ACTIVATIONS/INACTIVATIONS	286,416	258,416
	Restoration of Congressional mark		[–28,000]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	99,402	42,190
	Realignment to National Defense Sealift Fund		[–57,212]
330	COAST GUARD SUPPORT	25,235	25,235
	SUBTOTAL MOBILIZATION	**1,697,075**	**1,359,770**
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	930,641
	Restoration of Congressional mark		[–17,200]
380	PROFESSIONAL DEVELOPMENT EDUCATION	367,647	369,147
	Sea Cadets		[1,500]
390	TRAINING SUPPORT	254,928	254,928
400	RECRUITING AND ADVERTISING	206,305	206,305
410	OFF-DUTY AND VOLUNTARY EDUCATION	103,799	103,799
420	CIVILIAN EDUCATION AND TRAINING	66,060	66,060
430	JUNIOR ROTC	56,276	56,276
	SUBTOTAL TRAINING AND RECRUITING	**2,365,862**	**2,350,162**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,249,410	1,186,410
	Program decrease		[–30,000]
	Restoration of Congressional mark		[–33,000]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	189,625	189,625
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	499,904	499,904
470	MEDICAL ACTIVITIES	196,747	196,747
480	SERVICEWIDE TRANSPORTATION	165,708	160,614
	Unjustified funding for Dynamic Force Employment		[–5,094]
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	519,716	519,716
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	751,184	690,564
	Transfer to DAWDF—reversal of DWR transfers		[–60,620]
520	INVESTIGATIVE AND SECURITY SERVICES	747,519	736,519
	Restoration of Congressional mark		[–11,000]
625	CLASSIFIED PROGRAMS	608,670	608,670
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,928,483**	**4,788,769**
	UNDISTRIBUTED		
770	UNDISTRIBUTED		–71,900
	Foreign Currency adjustments		[–48,500]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Historical unobligated balances		*[–23,400]*
	SUBTOTAL UNDISTRIBUTED		***–71,900***
	TOTAL OPERATION & MAINTENANCE, NAVY	***49,692,742***	***48,491,440***
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	*OPERATIONAL FORCES*	*941,143*	*527,743*
	Transfer to OCO		*[–400,000]*
	Unjustified funding for Dynamic Force Employment		*[–13,400]*
020	*FIELD LOGISTICS*	*1,277,798*	*1,277,798*
030	*DEPOT MAINTENANCE*	*206,907*	*206,907*
040	*MARITIME PREPOSITIONING*	*103,614*	*103,614*
050	*CYBERSPACE ACTIVITIES*	*215,974*	*215,974*
060	*SUSTAINMENT, RESTORATION & MODERNIZATION*	*938,063*	*955,434*
	Program increase for additional facility requirements		*[17,371]*
070	*BASE OPERATING SUPPORT*	*2,264,680*	*2,360,680*
	Program increase		*[96,000]*
	SUBTOTAL OPERATING FORCES	***5,948,179***	***5,648,150***
	TRAINING AND RECRUITING		
080	*RECRUIT TRAINING*	*20,751*	*20,751*
090	*OFFICER ACQUISITION*	*1,193*	*1,193*
100	*SPECIALIZED SKILL TRAINING*	*110,149*	*110,149*
110	*PROFESSIONAL DEVELOPMENT EDUCATION*	*69,509*	*69,509*
120	*TRAINING SUPPORT*	*412,613*	*412,613*
130	*RECRUITING AND ADVERTISING*	*215,464*	*215,464*
140	*OFF-DUTY AND VOLUNTARY EDUCATION*	*33,719*	*33,719*
150	*JUNIOR ROTC*	*25,784*	*25,784*
	SUBTOTAL TRAINING AND RECRUITING	***889,182***	***889,182***
	ADMIN & SRVWD ACTIVITIES		
160	*SERVICEWIDE TRANSPORTATION*	*32,005*	*32,005*
170	*ADMINISTRATION*	*399,363*	*399,363*
215	*CLASSIFIED PROGRAMS*	*59,878*	*59,878*
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	***491,246***	***491,246***
	UNDISTRIBUTED		
230	*UNDISTRIBUTED*		*–19,700*
	Foreign Currency adjustments		*[–13,400]*
	Historical unobligated balances		*[–6,300]*
	SUBTOTAL UNDISTRIBUTED		***–19,700***
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	***7,328,607***	***7,008,878***
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	*MISSION AND OTHER FLIGHT OPERATIONS*	*635,070*	*635,070*
020	*INTERMEDIATE MAINTENANCE*	*8,713*	*8,713*
030	*AIRCRAFT DEPOT MAINTENANCE*	*105,088*	*105,088*
040	*AIRCRAFT DEPOT OPERATIONS SUPPORT*	*398*	*398*
050	*AVIATION LOGISTICS*	*27,284*	*27,284*
070	*COMBAT COMMUNICATIONS*	*17,894*	*17,894*
080	*COMBAT SUPPORT FORCES*	*132,862*	*132,862*
090	*CYBERSPACE ACTIVITIES*	*453*	*453*
100	*ENTERPRISE INFORMATION*	*26,073*	*26,073*
110	*SUSTAINMENT, RESTORATION AND MODERNIZATION*	*48,762*	*49,665*
	Program increase for additional facility requirements		*[903]*
120	*BASE OPERATING SUPPORT*	*103,580*	*103,580*
	SUBTOTAL OPERATING FORCES	***1,106,177***	***1,107,080***
	ADMIN & SRVWD ACTIVITIES		
130	*ADMINISTRATION*	*1,927*	*1,927*
140	*MILITARY MANPOWER AND PERSONNEL MANAGEMENT*	*15,895*	*15,895*
150	*ACQUISITION AND PROGRAM MANAGEMENT*	*3,047*	*3,047*
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	***20,869***	***20,869***
	UNDISTRIBUTED		
190	*UNDISTRIBUTED*		*–3,800*
	Historical unobligated balances		*[–3,800]*
	SUBTOTAL UNDISTRIBUTED		***–3,800***
	TOTAL OPERATION & MAINTENANCE, NAVY RES	***1,127,046***	***1,124,149***
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	*OPERATING FORCES*	*104,616*	*104,616*
020	*DEPOT MAINTENANCE*	*17,053*	*17,053*
030	*SUSTAINMENT, RESTORATION AND MODERNIZATION*	*41,412*	*42,179*
	Program increase for additional facility requirements		*[767]*
040	*BASE OPERATING SUPPORT*	*107,773*	*107,773*
	SUBTOTAL OPERATING FORCES	***270,854***	***271,621***

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**13,802**	**13,802**
	UNDISTRIBUTED		
70	UNDISTRIBUTED		–700
	Historical unobligated balances		[–700]
	SUBTOTAL UNDISTRIBUTED		**–700**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**284,656**	**284,723**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	731,511	733,181
	A–10 retention		[1,670]
020	COMBAT ENHANCEMENT FORCES	1,275,485	1,275,485
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,437,095	1,449,525
	A–10 retention		[12,430]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE		154,260
	A–10 retention		[81,460]
	KC–135 and KC–10 aircraft retention		[72,800]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,241,216	3,301,238
	Program increase for additional facility requirements		[60,022]
060	CYBERSPACE SUSTAINMENT	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,508,342	1,508,342
080	FLYING HOUR PROGRAM	4,458,457	4,511,317
	A–10 retention		[52,860]
090	BASE SUPPORT	7,497,288	7,487,088
	Unjustified funding for Dynamic Force Employment		[–10,200]
100	GLOBAL C3I AND EARLY WARNING	849,842	849,842
110	OTHER COMBAT OPS SPT PROGRAMS	1,067,055	820,725
	Realignment from Base to OCO		[–246,330]
120	CYBERSPACE ACTIVITIES	698,579	693,579
	Program decrease		[–5,000]
150	SPACE CONTROL SYSTEMS	34,194	34,194
160	US NORTHCOM/NORAD	204,268	204,268
170	US STRATCOM	526,809	526,809
180	US CYBERCOM	314,524	314,524
190	US CENTCOM	186,116	186,116
200	US SOCOM	9,881	9,881
210	US TRANSCOM	1,046	1,046
230	USSPACECOM	249,022	249,022
235	CLASSIFIED PROGRAMS	1,289,339	1,289,339
	SUBTOTAL OPERATING FORCES	**25,815,885**	**25,835,597**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,350,031	1,110,031
	Realignment from Base to OCO		[–240,000]
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	**1,997,199**	**1,757,199**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	155,065
340	EXAMINING	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING	361,570	371,570
	Sustainment Workforce Development Program increase		[10,000]
370	JUNIOR ROTC	72,126	72,126
	SUBTOTAL TRAINING AND RECRUITING	**2,526,154**	**2,536,154**
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	672,426	672,426
390	TECHNICAL SUPPORT ACTIVITIES	145,130	103,070
	Transfer to DAWDF—reversal of DWR transfers		[–42,060]
400	ADMINISTRATION	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES	1,188,414	1,183,814
	Program Decrease		[–4,600]
430	CIVIL AIR PATROL	28,772	43,215
	Program increase		[14,443]
450	INTERNATIONAL SUPPORT	158,803	158,803
455	CLASSIFIED PROGRAMS	1,338,009	1,338,009
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,411,359**	**4,379,142**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	UNDISTRIBUTED		
550	UNDISTRIBUTED		–72,700
	Foreign Currency adjustments		[–39,400]
	Historical unobligated balances		[–33,300]
	SUBTOTAL UNDISTRIBUTED		**–72,700**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**34,750,597**	**34,435,392**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,060,969
	Program decrease		[–3,000]
	SUBTOTAL OPERATING FORCES	**2,398,771**	**2,395,771**
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**132,523**	**132,523**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–2,400
	Historical unobligated balances		[–2,400]
	SUBTOTAL UNDISTRIBUTED		**–2,400**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**2,531,294**	**2,525,894**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	476,096
	KC–135 and KC–10 aircraft retention		[22,200]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	103,414	105,329
	Program increase for additional facility requirements		[1,915]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	224,977	224,977
060	BASE SUPPORT	452,468	452,468
070	CYBERSPACE ACTIVITIES	2,259	2,259
	SUBTOTAL OPERATING FORCES	**3,234,239**	**3,258,354**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	74,258	74,258
090	RECRUITING AND ADVERTISING	23,121	23,121
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,006	12,006
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,165	6,165
120	AUDIOVISUAL	495	495
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**116,045**	**116,045**
	UNDISTRIBUTED		
130	UNDISTRIBUTED		–9,100
	Historical unobligated balances		[–9,100]
	SUBTOTAL UNDISTRIBUTED		**–9,100**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,350,284**	**3,365,299**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,153,919
	KC–135 aircraft retention		[15,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	323,605	359,598
	Installation recovery		[30,000]
	Program increase for additional facility requirements		[5,993]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,100,828	1,100,828
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	16,380
	SUBTOTAL OPERATING FORCES	**6,656,728**	**6,707,721**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	48,696
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**96,914**	**96,914**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–13,300
	Historical unobligated balances		[–13,300]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	SUBTOTAL UNDISTRIBUTED		**–13,300**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,753,642**	**6,791,335**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	1,069,971	1,069,971
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	561,907	556,907
	Unjustified growth		[–5,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	685,097	680,097
	Program decrease		[–5,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,598,385	2,598,385
	SUBTOTAL OPERATING FORCES	**7,146,446**	**7,136,446**
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	**291,948**	**291,948**
	ADMIN & SRVWIDE ACTIVITIES		
160	CIVIL MILITARY PROGRAMS	147,993	167,993
	Program increase—STARBASE		[20,000]
180	DEFENSE CONTRACT AUDIT AGENCY	604,835	636,565
	Restoration of DWR reductions		[31,730]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,370,681	1,445,781
	Restoration of DWR reductions		[75,100]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	949,008	949,008
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY	799,952	813,356
	Defense Flagship Language and Project Global Officer program increase		[13,404]
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY	1,883,190	1,871,590
	JRSS program decrease		[–11,600]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	582,639	582,639
330	DEFENSE LEGAL SERVICES AGENCY	37,637	37,637
340	DEFENSE LOGISTICS AGENCY	382,084	412,084
	Maternity Uniform Pilot Program		[10,000]
	Program increase—PTAP		[20,000]
350	DEFENSE MEDIA ACTIVITY	196,997	205,997
	Stars and Stripes		[9,000]
360	DEFENSE PERSONNEL ACCOUNTING AGENCY	129,225	129,225
370	DEFENSE SECURITY COOPERATION AGENCY	598,559	598,559
400	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	38,432	38,432
410	DEFENSE THREAT REDUCTION AGENCY	591,780	591,780
430	DEFENSE THREAT REDUCTION AGENCY—CYBER	24,635	24,635
440	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,941,429	2,991,429
	Impact Aid		[40,000]
	Impact Aid for children with disabilities		[10,000]
450	MISSILE DEFENSE AGENCY	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT	40,272	129,272
	Defense Community Infrastructure Program		[50,000]
	Guam Public Health Laboratory		[19,000]
	Restoration of DWR reduction		[20,000]
490	OFFICE OF THE SECRETARY OF DEFENSE	1,540,446	1,619,446
	Additional FTEs, Office of the Deputy Assistant Secretary for Environment		[2,000]
	Additional FTEs, Office of the Deputy Assistant Secretary for Facilities Management		[2,000]
	Basic needs allowance		[50,000]
	JASON scientific advisory group		[3,000]
	National Security Commission on Artificial Intelligence (NSCAI)		[2,500]
	Program decrease		[–15,500]
	Program increase—Readiness and Environmental Protection Initiative		[25,000]
	Undersecretary of Defense for Intelligence and Security, medical intelligence improvements		[10,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	51,630	51,630
510	SPACE DEVELOPMENT AGENCY	48,166	36,166
	Reduction for studies		[–7,000]
	Unjustified growth		[–5,000]
530	WASHINGTON HEADQUARTERS SERVICES	340,291	340,291
535	CLASSIFIED PROGRAMS	17,348,749	17,348,749
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**31,210,685**	**31,584,319**
	UNDISTRIBUTED		
600	UNDISTRIBUTED		–88,000
	Foreign Currency adjustments		[–18,700]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Historical unobligated balances		*[–69,300]*
	SUBTOTAL UNDISTRIBUTED		***–88,000***
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	***38,649,079***	***38,924,713***
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
	ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	*US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE*	*15,211*	*15,211*
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	***15,211***	***15,211***
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	***15,211***	***15,211***
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	*ACQ WORKFORCE DEV FD*	*58,181*	*198,501*
	Transfer from services—reversal of DWR transfers		*[140,320]*
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	***58,181***	***198,501***
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	***58,181***	***198,501***
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	*OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID*	*109,900*	*109,900*
	SUBTOTAL HUMANITARIAN ASSISTANCE	***109,900***	***109,900***
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	***109,900***	***109,900***
	COOPERATIVE THREAT REDUCTION ACCOUNT		
	COOPERATIVE THREAT REDUCTION		
010	*COOPERATIVE THREAT REDUCTION*	*238,490*	*373,690*
	Restoration of funding		*[135,200]*
	SUBTOTAL COOPERATIVE THREAT REDUCTION	***238,490***	***373,690***
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	***238,490***	***373,690***
	ENVIRONMENTAL RESTORATION		
	DEPARTMENT OF THE ARMY		
050	*ENVIRONMENTAL RESTORATION, ARMY*	*207,518*	*207,518*
	SUBTOTAL DEPARTMENT OF THE ARMY	***207,518***	***207,518***
	DEPARTMENT OF THE NAVY		
060	*ENVIRONMENTAL RESTORATION, NAVY*	*335,932*	*335,932*
	SUBTOTAL DEPARTMENT OF THE NAVY	***335,932***	***335,932***
	DEPARTMENT OF THE AIR FORCE		
070	*ENVIRONMENTAL RESTORATION, AIR FORCE*	*303,926*	*303,926*
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	***303,926***	***303,926***
	DEFENSE-WIDE		
080	*ENVIRONMENTAL RESTORATION, DEFENSE*	*9,105*	*9,105*
	SUBTOTAL DEFENSE-WIDE	***9,105***	***9,105***
	DEFENSE-WIDE		
090	*ENVIRONMENTAL RESTORATION FORMERLY USED SITES*	*216,587*	*266,587*
	Military Munitions Response Program		*[50,000]*
	SUBTOTAL DEFENSE-WIDE	***216,587***	***266,587***
	TOTAL ENVIRONMENTAL RESTORATION	***1,073,068***	***1,123,068***
	UNDISTRIBUTED		
010	*UNDISTRIBUTED*		*–1,455,870*
	Excessive standard price for fuel		*[–1,455,870]*
	SUBTOTAL UNDISTRIBUTED		***–1,455,870***
	TOTAL UNDISTRIBUTED		***–1,455,870***
	TOTAL OPERATION & MAINTENANCE	***196,630,496***	***193,853,071***

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	*MANEUVER UNITS*	*4,114,001*	*3,789,001*

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Drawdown from Operation Freedom's Sentinel		[–75,000]
	Unjustified funding for Dynamic Force Employment		[–250,000]
030	ECHELONS ABOVE BRIGADE	32,811	32,811
040	THEATER LEVEL ASSETS	2,542,760	2,102,760
	Drawdown from Operation Freedom's Sentinel		[–440,000]
050	LAND FORCES OPERATIONS SUPPORT	162,557	122,557
	Drawdown from Operation Freedom's Sentinel		[–40,000]
060	AVIATION ASSETS	204,396	179,572
	Drawdown from Operation Freedom's Sentinel		[–24,824]
070	FORCE READINESS OPERATIONS SUPPORT	5,716,734	4,716,734
	Drawdown from Operation Freedom's Sentinel		[–1,000,000]
080	LAND FORCES SYSTEMS READINESS	180,048	140,048
	Drawdown from Operation Freedom's Sentinel		[–40,000]
090	LAND FORCES DEPOT MAINTENANCE	81,125	81,125
100	BASE OPERATIONS SUPPORT	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	301,017	301,017
130	ADDITIONAL ACTIVITIES	966,649	782,649
	Drawdown from Operation Freedom's Sentinel		[–184,000]
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,500
150	RESET	403,796	803,796
	Retrograde from Operation Freedom's Sentinel		[400,000]
160	US AFRICA COMMAND	100,422	100,422
170	US EUROPEAN COMMAND	120,043	120,043
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	21,256	21,256
	SUBTOTAL OPERATING FORCES	**15,267,605**	**13,613,781**
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	**103,052**	**103,052**
	TRAINING AND RECRUITING		
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	**92,493**	**92,493**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	521,090	821,090
	Retrograde from Operation Freedom's Sentinel		[300,000]
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423
420	AMMUNITION MANAGEMENT	29,162	29,162
440	SERVICEWIDE COMMUNICATIONS	11,447	11,447
470	OTHER SERVICE SUPPORT	5,839	5,839
490	REAL ESTATE MANAGEMENT	48,782	48,782
510	INTERNATIONAL MILITARY HEADQUARTERS	50,000	50,000
565	CLASSIFIED PROGRAMS	895,964	895,964
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**1,674,604**	**1,974,604**
	TOTAL OPERATION & MAINTENANCE, ARMY	**17,137,754**	**15,783,930**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	**33,399**	**33,399**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**33,399**	**33,399**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	**79,746**	**79,746**
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**46**	**46**
	TOTAL OPERATION & MAINTENANCE, ARNG	**79,792**	**79,792**
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	**1,235,067**	**1,235,067**
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	**602,172**	**602,172**
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	**835,924**	**835,924**
	AFGHAN SPECIAL SECURITY FORCES		
	UNDISTRIBUTED		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	**1,342,449**	**1,342,449**
170	UNDISTRIBUTED		–500,000
	Insufficient justification		[–500,000]
	SUBTOTAL UNDISTRIBUTED		**–500,000**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**4,015,612**	**3,515,612**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	645,000	500,000
	Program decrease		[–145,000]
020	SYRIA	200,000	200,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**700,000**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**700,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	382,062	760,856
	Transfer from base		[378,794]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	832	832
040	AIR OPERATIONS AND SAFETY SUPPORT	17,840	17,840
050	AIR SYSTEMS SUPPORT	210,692	210,692
060	AIRCRAFT DEPOT MAINTENANCE	170,580	170,580
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	5,854	5,854
080	AVIATION LOGISTICS	33,707	33,707
090	MISSION AND OTHER SHIP OPERATIONS	5,817,696	5,817,696
100	SHIP OPERATIONS SUPPORT & TRAINING	20,741	20,741
110	SHIP DEPOT MAINTENANCE	2,072,470	2,072,470
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,254	59,254
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	17,324	17,324
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,581	22,581
170	COMBAT SUPPORT FORCES	772,441	1,322,441
	Transfer from base		[550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	5,788	5,788
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
220	CYBERSPACE ACTIVITIES	369	369
240	WEAPONS MAINTENANCE	567,247	567,247
250	OTHER WEAPON SYSTEMS SUPPORT	12,571	12,571
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	70,041	70,041
280	BASE OPERATING SUPPORT	218,792	218,792
	SUBTOTAL OPERATING FORCES	**10,521,682**	**11,450,476**
	MOBILIZATION		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	**22,589**	**22,589**
	TRAINING AND RECRUITING		
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	**53,204**	**53,204**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**102,830**	**102,830**
	TOTAL OPERATION & MAINTENANCE, NAVY	**10,700,305**	**11,629,099**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	727,989	1,127,989
	Transfer from base		[400,000]
020	FIELD LOGISTICS	195,001	195,001
030	DEPOT MAINTENANCE	55,183	55,183
050	CYBERSPACE ACTIVITIES	10,000	10,000
070	BASE OPERATING SUPPORT	24,569	24,569
	SUBTOTAL OPERATING FORCES	**1,012,742**	**1,412,742**
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	**28,458**	**28,458**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**61,400**	**61,400**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,102,600**	**1,502,600**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	**21,492**	**21,492**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**21,492**	**21,492**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	**8,707**	**8,707**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**8,707**	**8,707**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	978,538
	MQ–9 government owned-contractor operated combat line operations in U.S. Central Command		[62,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	93,970	93,970
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,528,059	3,528,059
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	7,187,100	7,187,100
080	FLYING HOUR PROGRAM	2,031,548	2,031,548
090	BASE SUPPORT	1,540,444	1,478,444
	Program decrease		[–62,000]
100	GLOBAL C3I AND EARLY WARNING	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS	345,800	592,130
	Realignment from Base to OCO		[246,330]
120	CYBERSPACE ACTIVITIES	17,936	17,936
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,820	36,820
140	LAUNCH FACILITIES	70	70
150	SPACE CONTROL SYSTEMS	1,450	1,450
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	856	856
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	126,934	126,934
	SUBTOTAL OPERATING FORCES	**16,160,805**	**16,407,135**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,271,439	1,511,439
	Realignment from Base to OCO		[240,000]
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	**1,392,305**	**1,632,305**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	**30,925**	**30,925**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	100,831
450	INTERNATIONAL SUPPORT	29,928	29,928
455	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**345,985**	**345,985**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**17,930,020**	**18,416,350**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135
070	DEPOT MAINTENANCE	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	43,164	43,164
	SUBTOTAL OPERATING FORCES	**77,115**	**77,115**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**77,115**	**77,115**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	**30,090**	**30,090**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**30,090**	**30,090**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	**175,642**	**175,642**
	TOTAL OPERATION & MAINTENANCE, ANG	**175,642**	**175,642**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	893,024
	Maritime Support Vessel		[–5,000]
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,214,553
	Program decrease		[–30,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	354,951	354,951
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	757,744	732,744
	Unjustified growth		[–25,000]
	SUBTOTAL OPERATING FORCES	**3,370,240**	**3,310,240**
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	9,555
	Stars and Stripes		[6,000]
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,337,763
	Program increase—security cooperation		[30,000]
	Transfer to Ukraine Security Assistance		[–250,000]
410	DEFENSE THREAT REDUCTION AGENCY	297,486	297,486
490	OFFICE OF THE SECRETARY OF DEFENSE	16,984	16,984
530	WASHINGTON HEADQUARTERS SERVICES	1,997	1,997
535	CLASSIFIED PROGRAMS	535,106	535,106
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**2,652,014**	**2,438,014**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**6,022,254**	**5,748,254**
	UKRAINE SECURITY ASSISTANCE		
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		250,000
	Transfer from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		**250,000**
	TOTAL UKRAINE SECURITY ASSISTANCE		**250,000**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	TOTAL OPERATION & MAINTENANCE	**58,179,782**	**57,972,082**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
Military Personnel Appropriations	**150,524,104**	**149,384,304**
Historical unobligated balances		**–924,000**
Foreign Currency adjustments		**–169,800**
Standardization of payment of hazardous duty incentive pay		**50,000**
Program decrease—Marine Corps		**–96,000**
Medicare-Eligible Retiree Health Fund Contributions	**8,372,741**	**8,372,741**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
Military Personnel Appropriations	**4,602,593**	**4,602,593**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	*32,551*	*32,551*
ARMY SUPPLY MANAGEMENT	*24,166*	*24,166*
TOTAL WORKING CAPITAL FUND, ARMY	**56,717**	**56,717**
WORKING CAPITAL FUND, AIR FORCE		
WORKING CAPITAL FUND		
WORKING CAPITAL FUND	*95,712*	*95,712*
TOTAL WORKING CAPITAL FUND, AIR FORCE	**95,712**	**95,712**
WORKING CAPITAL FUND, DEFENSE-WIDE		
WORKING CAPITAL FUND SUPPORT		
WORKING CAPITAL FUND SUPPORT	*49,821*	*49,821*
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**49,821**	**49,821**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	*1,146,660*	*1,146,660*
TOTAL WORKING CAPITAL FUND, DECA	**1,146,660**	**1,146,660**
NATIONAL DEFENSE SEALIFT FUND		
SEALIFT RECAPITALIZATION		*170,000*
Accelerate design of a commercial-based sealift ship		*[50,000]*
Transfer from OMN–300 for acquisition of four used sealift vessels		*[120,000]*
SHIP PREPOSITIONING AND SURGE		*314,193*
Transfer from OMN–290		*[314,193]*
EXPEDITIONARY HEALTH SERVICES		*57,212*
Transfer from OMN–320		*[57,212]*
TOTAL NATIONAL DEFENSE SEALIFT FUND		**541,405**
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	*106,691*	*101,691*
Program decrease		*[–5,000]*
CHEM DEMILITARIZATION—RDT&E	*782,193*	*774,193*
Program decrease		*[–8,000]*
CHEM DEMILITARIZATION—PROC	*616*	*616*
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**889,500**	**876,500**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	*546,203*	*546,203*
DRUG DEMAND REDUCTION PROGRAM	*123,704*	*123,704*
NATIONAL GUARD COUNTER-DRUG PROGRAM	*94,211*	*94,211*
NATIONAL GUARD COUNTER-DRUG SCHOOLS	*5,511*	*5,511*
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**769,629**	**769,629**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	368,279	384,536
Additional oversight of coronavirus relief		[16,257]
OFFICE OF THE INSPECTOR GENERAL—CYBER		
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,204	1,204
OFFICE OF THE INSPECTOR GENERAL—RDTE	1,098	1,098
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	858	858
TOTAL OFFICE OF THE INSPECTOR GENERAL	**371,439**	**387,696**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,560,564	9,565,564
Program decrease		[–31,000]
Reverse DWR savings from downsizing MTFs		[36,000]
PRIVATE SECTOR CARE	15,841,887	15,841,887
CONSOLIDATED HEALTH SUPPORT	1,338,269	1,348,269
Global Emerging Infectious Surveillance Program		[10,000]
INFORMATION MANAGEMENT	2,039,910	2,039,910
MANAGEMENT ACTIVITIES	330,627	330,627
EDUCATION AND TRAINING	315,691	341,691
Health Professions Scholarship Program		[10,000]
Restoring funding for Tri-Service Nursing Research Program within USUHS		[6,000]
Reverse DWR cuts to USUHS		[10,000]
BASE OPERATIONS/COMMUNICATIONS	1,922,605	1,927,605
Medical Surge Partnership Pilot		[5,000]
R&D RESEARCH	8,913	8,913
R&D EXPLORATRY DEVELOPMENT	73,984	73,984
R&D ADVANCED DEVELOPMENT	225,602	225,602
R&D DEMONSTRATION/VALIDATION	132,331	132,331
R&D ENGINEERING DEVELOPMENT	55,748	70,748
Freeze-dried platelets		[15,000]
R&D MANAGEMENT AND SUPPORT	48,672	48,672
R&D CAPABILITIES ENHANCEMENT	17,215	17,215
PROC INITIAL OUTFITTING	22,932	22,932
PROC REPLACEMENT & MODERNIZATION	215,618	215,618
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	70,872	70,872
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	308,504	308,504
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
UNDISTRIBUTED		–9,800
Foreign Currency adjustments		[–9,800]
TOTAL DEFENSE HEALTH PROGRAM	**32,690,372**	**32,741,572**
TOTAL OTHER AUTHORIZATIONS	**36,069,850**	**36,665,712**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE		
ARMY SUPPLY MANAGEMENT	20,090	20,090
TOTAL WORKING CAPITAL FUND, ARMY	**20,090**	**20,090**
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
TOTAL OFFICE OF THE INSPECTOR GENERAL	**24,069**	**24,069**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,072	65,072
PRIVATE SECTOR CARE	296,828	296,828
CONSOLIDATED HEALTH SUPPORT	3,198	3,198
TOTAL DEFENSE HEALTH PROGRAM	**365,098**	**365,098**
TOTAL OTHER AUTHORIZATIONS	**409,257**	**409,257**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Alaska			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Army	Fort Wainwright	Child Development Center	0	32,500
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing	0	59,000
	Arizona			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	Colorado			
Army	Fort Carson, Colorado	Physical Fitness Facility	28,000	28,000
	Georgia			
Army	Fort Gillem	Forensic Laboratory	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph3	80,000	80,000
	Hawaii			
Army	Fort Shafter	Child Development Center—School Age	0	26,000
Army	Schofield Barracks	Child Development Center	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar	89,000	89,000
	Louisiana			
Army	Fort Polk, Louisiana	Information Systems Facility	25,000	25,000
	Oklahoma			
Army	McAlester AAP	Ammunition Demolition Shop	35,000	35,000
	Pennsylvania			
Army	Carlisle Barracks	General Instruction Building, Incr2	38,000	0
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	0	7,000
	Virginia			
Army	Humphreys Engineer Center	Training Support Facility	51,000	51,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support	39,000	39,000
Army	Unspecified Worldwide Locations	Planning and Design	129,436	69,436
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	50,900	50,900
Military Construction, Army Total			650,336	715,836
	Arizona			
Navy	Yuma	Bachelor Enlisted Quarters Replacement	0	59,600
	Bahrain Island			
Navy	SW Asia	Ship to Shore Utility Services	68,340	68,340
	California			
Navy	Camp Pendleton, California	1st MARDIV Operations Complex	68,530	68,530
Navy	Camp Pendleton, California	I MEF Consolidated Information Center (Inc)	37,000	37,000
Navy	Lemoore	F–35C Hangar 6 Phase 2 (Mod 3/4)	128,070	98,070
Navy	Lemoore	F–35C Simulator Facility & Electrical Upgrade	59,150	59,150
Navy	San Diego	Pier 6 Replacement	128,500	98,500
Navy	Twentynine Palms, California	Wastewater Treatment Plant	76,500	76,500
	Greece			
Navy	Souda Bay	Communication Center	50,180	50,180
	Guam			
Navy	Andersen AFB	Ordnance Operations Admin	21,280	21,280
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H (Inc)	80,000	0
Navy	Joint Region Marianas	Base Warehouse	55,410	55,410
Navy	Joint Region Marianas	Central Fuel Station	35,950	35,950
Navy	Joint Region Marianas	Central Issue Facility	45,290	45,290
Navy	Joint Region Marianas	Combined EOD Facility	37,600	37,600
Navy	Joint Region Marianas	DAR Bridge Improvements	40,180	40,180
Navy	Joint Region Marianas	DAR Road Strengthening	70,760	70,760
Navy	Joint Region Marianas	Distribution Warehouse	77,930	77,930
Navy	Joint Region Marianas	Individual Combat Skills Training	17,430	17,430
Navy	Joint Region Marianas	Joint Communication Upgrade	166,000	22,000
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11–13,S20–21	48,990	48,990
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improvements Wharves S8–S10	65,910	65,910
	Japan			
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (Inc)	74,692	0
	Maine			
Navy	Kittery	Multi-Mission Drydock #1 Exten., Ph 1 (Inc)	160,000	160,000
	Nevada			
Navy	Fallon	Range Training Complex, Phase 1	29,040	29,040
	North Carolina			
Navy	Camp Lejeune, North Carolina	II MEF Operations Center Replacement (Inc)	20,000	20,000
	Spain			
Navy	Rota	MH–60r Squadron Support Facilities	60,110	60,110
	Virginia			
Navy	Norfolk	E–2D Training Facility	30,400	30,400
Navy	Norfolk	MH60 & CMV–22B Corrosion Control & Paint Fac	17,671	17,671
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	165,710	160,710
Navy	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives	0	5,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	38,983	38,983

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Military Construction, Navy Total			1,975,606	1,676,514
	California			
AF	Edwards AFB	Flight Test Engineering Laboratory Complex	0	40,000
	Colorado			
AF	Schriever AFB	Consolidated Space Operations Facility, Inc 2	88,000	88,000
	Florida			
AF	Eglin	Advanced Munitions Technology Complex	0	35,000
	Guam			
AF	Joint Region Marianas	Stand Off Weapons Complex, MSA 2	56,000	56,000
	Illinois			
AF	Scott	Add/Alter Consolidated Communications Facility	0	3,000
	Mariana Islands			
AF	Tinian	Airfield Development Phase 1, Inc 2	20,000	0
AF	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, Inc 2	7,000	0
AF	Tinian	Parking Apron, Inc 2	15,000	0
	Maryland			
AF	Joint Base Andrews	Consolidated Communications Center	0	13,000
	Montana			
AF	Malmstrom AFB	Weapons Storage & Maintenance Facility, Inc 2	25,000	0
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area	22,000	22,000
	Qatar			
AF	Al Udeid, Qatar	Cargo Marshalling Yard	26,000	26,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc 2	36,000	36,000
AF	Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim	19,500	19,500
	Utah			
AF	Hill AFB	GBSD Mission Integration Facility, Inc 2	68,000	68,000
	Virginia			
AF	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq	19,500	19,500
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Planning & Design	296,532	149,649
AF	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives	0	5,000
AF	Unspecified Worldwide Locations	Unspecified Minor Construction	68,600	68,600
	Wyoming			
AF	FE Warren	Weapons Storage Facility	0	12,000
Military Construction, Air Force Total			767,132	661,249
	Alabama			
Def-Wide	Anniston Army Depot	Demilitarization Facility	18,000	18,000
Def-Wide	Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
	Alaska			
Def-Wide	Fort Greely	Communications Center	48,000	48,000
	Arizona			
Def-Wide	Fort Huachuca	Laboratory Building	33,728	33,728
Def-Wide	Yuma	SOF Hangar	49,500	49,500
	Arkansas			
Def-Wide	Fort Smith ANG	PV Arrays and Battery Storage	0	2,600
	California			
Def-Wide	Beale AFB	Bulk Fuel Tank	22,800	22,800
Def-Wide	Marine Corps Air Combat Center / Twenty Nine Palms	Install 10 Mw Battery Energy Storage for Various Buildings	11,646	11,646
Def-Wide	Military Ocean Terminal	Military Oceal Terminal Concord Microgrid	29,000	29,000
Def-Wide	NAWS China Lake	Solar Energy Storage System	0	8,950
Def-Wide	NSA Monterey	Cogeneration Plant at B236	10,540	10,540
	Colorado			
Def-Wide	Fort Carson, Colorado	SOF Tactical Equipment Maintenance Facility	15,600	15,600
	Conus Unspecified			
Def-Wide	Conus Unspecified	Training Target Structure	14,400	14,400
	District of Columbia			
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization	0	8,749
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization	10,343	10,343
Def-Wide	Joint Base Anacostia Bolling	PV Carports	0	25,221
	Florida			
Def-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron-North	38,310	38,310
Def-Wide	Hurlburt Field	SOF Special Tactics Ops Facility (23 STS)	44,810	44,810
	Georgia			
Def-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc 9	200,000	200,000
	Italy			
Def-Wide	NSA Naples	Smart Grid—NSA Naples	3,490	3,490
	Japan			
Def-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf	49,500	49,500
Def-Wide	Yokosuka	Kinnick High School Inc	30,000	0
	Kentucky			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Def-Wide	Fort Knox	Van Voorhis Elementary School	69,310	69,310
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration Incr 4	180,000	100,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc	250,000	250,000
Def-Wide	NSA Bethesda	Nsab–16 Replace Chillers 3 Through 9	0	13,840
Def-Wide	NSA South Potomac	CBIRF/IHEODTD/Housing Potable Water	18,460	18,460
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement Inc 3	40,000	40,000
Def-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 Inc	119,000	119,000
Def-Wide	Whiteman AFB	Install 10 Mw Combined Heat and Power Plant	17,310	17,310
	Nevada			
Def-Wide	Creech AFB	Central Standby Generators	32,000	32,000
	New Mexico			
Def-Wide	Kirtland AFB	Administrative Building	46,600	46,600
	North Carolina			
Def-Wide	Fort Bragg	SOF Group Headquarters	53,100	53,100
Def-Wide	Fort Bragg	SOF Military Working Dog Facility	17,700	17,700
Def-Wide	Fort Bragg	SOF Operations Facility	43,000	43,000
Def-Wide	Fort Bragg	SOTF Chilled Water Upgrade	0	6,100
	Ohio			
Def-Wide	Wright-Patterson AFB	Construct Intelligence Facility Central Utility Plant	0	35,000
Def-Wide	Wright-Patterson AFB	Hydrant Fuel System	23,500	23,500
	Tennessee			
Def-Wide	Memphis ANG	PV Arrays and Battery Storage	0	4,780
	Texas			
Def-Wide	Fort Hood, Texas	Fuel Facilities	32,700	32,700
	Virginia			
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Dcs Operations Fac. and Command Center	54,500	54,500
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG–2 Nswtg Css Facilities	58,000	58,000
Def-Wide	Nmc Portsmouth / Portsmouth	Retrofit Air Handling Units From Constant Volume Reheat to Variable Air Volume.	611	611
Def-Wide	Wallops Island	Wallops Generation and Distribution Resiliency Improvements	9,100	9,100
	Washington			
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main)	10,900	10,900
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North)	10,900	10,900
Def-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1	82,000	82,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	14,250	24,250
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,840	5,840
Def-Wide	Unspecified Worldwide Locations	Planning and Design	48,696	48,696
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	53,620	53,620
Def-Wide	Various Worldwide Locations	Planning and Design	97,030	97,030
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction	9,726	9,726
Military Construction, Defense-Wide Total			2,027,520	2,073,760
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	173,030	173,030
NATO Security Investment Program Total			173,030	173,030
	Arizona			
Army NG	Tucson	National Guard Readiness Center	18,100	18,100
	Colorado			
Army NG	Peterson AFB	National Guard Readiness Center	15,000	15,000
	Indiana			
Army NG	Shelbyville	National Guard/Reserve Center Building Add/Al	12,000	12,000
	Kentucky			
Army NG	Frankfort	National Guard/Reserve Center Building	15,000	15,000
	Mississippi			
Army NG	Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400
	Nebraska			
Army NG	North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300
	New Jersey			
Army NG	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000
	Ohio			
Army NG	Columbus	National Guard Readiness Center	15,000	15,000
	Oregon			
Army NG	Hermiston	Enlisted Barracks, Transient Training	9,300	25,035
	Puerto Rico			
Army NG	Fort Allen	National Guard Readiness Center	37,000	37,000
	South Carolina			
Army NG	Joint Base Charleston	National Guard Readiness Center	15,000	15,000
	Tennessee			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Army NG	Mcminnville	National Guard Readiness Center	11,200	11,200
	Texas			
Army NG	Fort Worth	Aircraft Maintenance Hangar Addition/Alt	6,000	6,000
Army NG	Fort Worth	National Guard Vehicle Maintenance Shop	7,800	7,800
	Utah			
Army NG	Nephi	National Guard Readiness Center	12,000	12,000
	Virgin Islands			
Army NG	St. Croix	Army Aviation Support Facility (Aasf)	28,000	28,000
Army NG	St. Croix	CST Ready Building	11,400	11,400
	Wisconsin			
Army NG	Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	32,744	32,744
Military Construction, Army National Guard Total			321,437	337,172
	Florida			
Army Res	Gainesville	ECS TEMF/Warehouse	36,000	36,000
	Massachusetts			
Army Res	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	8,700	8,700
	North Carolina			
Army Res	Asheville	Army Reserve Center/Land	24,000	24,000
	Wisconsin			
Army Res	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
Army Res	Fort McCoy	Transient Trainee Barracks	0	2,500
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Military Construction, Army Reserve Total			88,337	90,837
	Maryland			
N/MC Res	Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
	Utah			
N/MC Res	Hill AFB	Naval Operational Support Center	25,010	25,010
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Minor Construction	3,000	3,000
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	3,485	3,485
Military Construction, Naval Reserve Total			70,995	70,995
	Alabama			
Air NG	Montgomery Regional Airport (ANG) Base	F–35 Simulator Facility	11,600	11,600
	Guam			
Air NG	Joint Region Marianas	Space Control Facility #5	20,000	20,000
	Maryland			
Air NG	Joint Base Andrews	F–16 Mission Training Center	9,400	9,400
	Texas			
Air NG	Joint Base San Antonio	F–16 Mission Training Center	10,800	10,800
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000	9,000
Air NG	Various Worldwide Locations	Planning and Design	3,414	3,414
Military Construction, Air National Guard Total			64,214	64,214
	Texas			
AF Res	Fort Worth	F–35A Simulator Facility	14,200	14,200
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	3,270	3,270
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
Military Construction, Air Force Reserve Total			23,117	23,117
	Italy			
FH Con Army	Vicenza	Family Housing New Construction	84,100	84,100
	Kwajalein			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	3,300	3,300
Family Housing Construction, Army Total			119,400	119,400
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,004	18,004
FH Ops Army	Unspecified Worldwide Locations	Housing Privitization Support	37,948	62,948
FH Ops Army	Unspecified Worldwide Locations	Leasing	123,841	123,841
FH Ops Army	Unspecified Worldwide Locations	Maintenance	97,789	97,789
FH Ops Army	Unspecified Worldwide Locations	Management	39,716	39,716
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	526	526
FH Ops Army	Unspecified Worldwide Locations	Services	8,135	8,135
FH Ops Army	Unspecified Worldwide Locations	Utilities	41,183	41,183
Family Housing Operation And Maintenance, Army Total			367,142	392,142
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	37,043	37,043
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,128	3,128
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,726	2,726
Family Housing Construction, Navy And Marine Corps Total			42,897	42,897
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	17,977	17,977
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	53,700	78,700
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,658	62,658
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	85,630	110,630
FH Ops Navy	Unspecified Worldwide Locations	Management	51,006	51,006
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	350	350
FH Ops Navy	Unspecified Worldwide Locations	Services	16,743	16,743
FH Ops Navy	Unspecified Worldwide Locations	Utilities	58,429	58,429
Family Housing Operation And Maintenance, Navy And Marine Corps Total			346,493	396,493
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	94,245	94,245
FH Con AF	Unspecified Worldwide Locations	Planning & Design	2,969	2,969
Family Housing Construction, Air Force Total			97,214	97,214
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	25,805	25,805
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,175	23,175
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,318	9,318
FH Ops AF	Unspecified Worldwide Locations	Maintenance	140,666	165,666
FH Ops AF	Unspecified Worldwide Locations	Management	64,732	99,732
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,184	2,184
FH Ops AF	Unspecified Worldwide Locations	Services	7,968	7,968
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,173	43,173
Family Housing Operation And Maintenance, Air Force Total			317,021	377,021

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	727	727
FH Ops DW	Unspecified Worldwide Locations	Leasing	49,856	49,856
FH Ops DW	Unspecified Worldwide Locations	Maintenance	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,113	4,113
Family Housing Operation And Maintenance, Defense-Wide Total			54,728	54,728
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	5,897	5,897
DOD Family Housing Improvement Fund Total			5,897	5,897
	Worldwide Unspecified			
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	600	600
Unaccompanied Housing Improvement Fund Total			600	600
	Worldwide Unspecified			
BRAC—Air Force	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	109,222	109,222
BRAC—Army	Base Realignment & Closure, Army	Base Realignment and Closure	66,060	106,060
BRAC—Navy	Unspecified Worldwide Locations	Base Realignment & Closure	125,165	225,165
Base Realignment and Closure—Total			300,447	440,447
Total, Military Construction			**7,813,563**	**7,813,563**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
Army	Unspecified Worldwide Locations	EDI: Planning and Design	11,903	11,903
Military Construction, Army Total			15,873	15,873
	Spain			
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
Navy	Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
Military Construction, Navy Total			70,020	70,020
	Germany			
AF	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
AF	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
AF	Campia Turzii	EDI: Dangerous Cargo Pad	11,000	11,000
AF	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex	68,000	68,000
AF	Campia Turzii	EDI: Parking Apron	19,500	19,500
AF	Campia Turzii	EDI: POL Increase Capacity	32,000	32,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400
AF	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
Military Construction, Air Force Total			263,869	263,869
Total, Military Construction			**349,762**	**349,762**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	137,800	137,800
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	15,602,000	15,602,000
Defense nuclear nonproliferation	2,031,000	2,111,000
Naval reactors	1,684,000	1,684,000
Federal salaries and expenses	454,000	454,000
Total, National nuclear security administration	**19,771,000**	**19,851,000**
Environmental and other defense activities:		
Defense environmental cleanup	4,983,608	5,773,708
Other defense activities	1,054,727	899,289
Total, Environmental & other defense activities	**6,038,335**	**6,672,997**
Total, Atomic Energy Defense Activities	**25,809,335**	**26,523,997**
Total, Discretionary Funding	**25,947,135**	**26,661,797**
Nuclear Energy		
Idaho sitewide safeguards and security	137,800	137,800
Total, Nuclear Energy	**137,800**	**137,800**
Stockpile Management		
Stockpile Major Modernization		
B61–12 Life extension program	815,710	815,710
W88 Alt 370	256,922	256,922
W80–4 Life extension program	1,000,314	1,000,314
W87–1 Modification Program	541,000	541,000
W93	53,000	53,000
Total, Stockpile Major Modernization	**2,666,946**	**2,666,946**
Stockpile services		
Production Operations	568,941	568,941
Stockpile Sustainment	998,357	998,357
Weapons Dismantlement and Disposition	50,000	50,000
Subtotal, Stockpile Services	**1,617,298**	**1,617,298**
Total, Stockpile Management	**4,284,244**	**4,284,244**
Weapons Activities		
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	610,599	610,599
21–D–512 Plutonium Pit Production Project, LANL	226,000	226,000
Subtotal, Los Alamos Plutonium Modernization	**836,599**	**836,599**
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	200,000	200,000
21–D–511 Savannah River Plutonium Processing Facility, SRS	241,896	241,896
Subtotal, Savannah River Plutonium Modernization	**441,896**	**441,896**
Enterprise Plutonium Support	90,782	90,782
Total, Plutonium Modernization	**1,369,277**	**1,369,277**
High Explosives and Energetics	67,370	67,370
Total, Primary Capability Modernization	**1,436,647**	**1,436,647**
Secondary Capability Modernization	457,004	457,004
Tritium and Domestic Uranium Enrichment	457,112	457,112
Non-Nuclear Capability Modernization	107,137	107,137
Total, Production Modernization	**2,457,900**	**2,457,900**
Stockpile Research, Technology, and Engineering		
Assessment Science	773,111	773,111
Engineering and Integrated Assessments	337,404	337,404
Inertial Confinement Fusion	554,725	554,725
Advanced Simulation and Computing	732,014	732,014
Weapon Technology and Manufacturing Maturation	297,965	297,965
Academic Programs	86,912	86,912
Total, Stockpile Research, Technology, and Engineering	**2,782,131**	**2,782,131**
Infrastructure and Operations		
Operations of facilities	1,014,000	1,014,000
Safety and environmental operations	165,354	165,354
Maintenance and repair of facilities	792,000	792,000
Recapitalization:		
Infrastructure and safety	670,000	670,000
Capability based investments	149,117	149,117
Planning for Programmatic Construction (Pre-CD–1)	84,787	84,787
Total, Recapitalization	**903,904**	**903,904**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Construction:		
21–D–510 HE Synthesis, Formulation, and Production, PX	31,000	31,000
19–D–670 138kV Power Transmission System Replacement, NNSS	59,000	59,000
18–D–690 Lithium Processing Facility, Y–12	109,405	109,405
18–D–620 Exascale Computing Facility Modernization Project, LLNL	29,200	29,200
18–D–650 Tritium Finishing Facility, SRS	27,000	27,000
17–D–640, U1a Complex Enhancements Project, NNSS	160,600	160,600
15–D–612 Emergency Operations Center, LLNL	27,000	27,000
15–D–611 Emergency Operations Center, SNL	36,000	36,000
15–D–302, TA–55 Reinvestments Project, Phase 3, LANL	30,000	30,000
15–D–301, HE Science & Engineering Facility, PX	43,000	43,000
07–D–220-04 Transuranic Liquid Waste Facility, LANL	36,687	36,687
06–D–141 Uranium processing facility Y–12, Oak Ridge, TN	750,000	750,000
04–D–125 Chemistry and Metallurgy Research Replacement Project, LANL	169,427	169,427
Total, Construction	**1,508,319**	**1,508,319**
Total, Infrastructure and operations	**4,383,577**	**4,383,577**
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	**390,074**	**390,074**
Defense Nuclear Security		
Operations and maintenance	815,895	815,895
Construction:		
17–D–710 West end protected area reduction project, Y–12	11,000	11,000
Total, Defense nuclear security	**826,895**	**826,895**
Information technology and cybersecurity	375,511	375,511
Legacy contractor pensions	101,668	101,668
Total, Weapons Activities	**15,602,000**	**15,602,000**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	66,391	66,391
Domestic radiological security	101,000	131,000
Container breach in Seattle, WA		[30,000]
International radiological security	73,340	73,340
Nuclear smuggling detection and deterrence	159,749	159,749
Total, Global material security	**400,480**	**430,480**
Material management and minimization		
HEU reactor conversion	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Total, Material management & minimization	**400,711**	**400,711**
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000
Defense nuclear nonproliferation R&D		
Proliferation Detection	235,220	265,220
Nuclear verification and detection, next-gen technologies		[30,000]
Nuclear Detonation Detection	236,531	236,531
Nonproliferation Stewardship Program	59,900	59,900
LEU Research and Development	0	20,000
LEU R&D for Naval Pressurized Water Reactors		[20,000]
Total, Defense nuclear nonproliferation R&D	**531,651**	**581,651**
Nonproliferation Construction:		
18–D–150 Surplus Plutonium Disposition Project, SRS	148,589	148,589
Total, Nonproliferation construction	**148,589**	**148,589**
Total, Defense Nuclear Nonproliferation Programs	**1,660,139**	**1,740,139**
Legacy contractor pensions	14,348	14,348
Nuclear counterterrorism and incident response program	377,513	377,513
Use of Prior Year Balances	–21,000	–21,000
Total, Defense Nuclear Nonproliferation	**2,031,000**	**2,111,000**
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
S8G Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Construction:		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
21–D–530 KL Steam and Condensate Upgrades	4,000	4,000
14–D–901 Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	**334,000**	**334,000**
Program direction	53,700	53,700
Total, Naval Reactors	**1,684,000**	**1,684,000**
Federal Salaries And Expenses		
Program direction	454,000	454,000
Total, Office Of The Administrator	**454,000**	**454,000**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	235,949
Program restoration		[181,000]
Central plateau remediation	498,335	658,335
Program restoration		[160,000]
Richland community and regulatory support	2,500	10,100
Program restoration		[7,600]
Total, Hanford site	**555,784**	**904,384**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	597,757	597,757
Tank farm activities	0	180,000
Program restoration		[180,000]
Construction:		
18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW	609,924	779,924
Program restoration		[170,000]
Total, Construction	**609,924**	**779,924**
Total, Office of River Protection	**1,257,681**	**1,607,681**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
Idaho community and regulatory support	2,400	2,400
Total, Idaho National Laboratory	**259,954**	**259,954**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
Nuclear facility D & D		
Separations Process Research Unit	15,000	15,000
Nevada	60,737	60,737
Sandia National Laboratories	4,860	4,860
Los Alamos National Laboratory	120,000	165,000
Program increase		[45,000]
Total, NNSA sites and Nevada off-sites	**202,361**	**247,361**
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
Total, OR Nuclear facility D & D	**109,077**	**109,077**
U233 Disposition Program	45,000	45,000
OR cleanup and disposition	58,000	58,000
Construction:		
17–D–401 On-site waste disposal facility	22,380	22,380
14–D–403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Total, Construction	**42,880**	**42,880**
Total, OR cleanup and waste disposition	**145,880**	**145,880**
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**262,887**	**262,887**
Savannah River Sites:		
Savannah River risk management operations		
Savannah River risk management operations	455,122	495,122
H-Canyon not placed into stand-by condition		[40,000]
Total, risk management operations	**455,122**	**495,122**
SR community and regulatory support	4,989	11,489
Secure payment in lieu of taxes funding		[6,500]
Radioactive liquid tank waste stabilization and disposition	970,332	970,332
Construction:		
20-D–402 Advanced Manufacturing Collaborative Facility (AMC)	25,000	25,000
18–D–402 Saltstone Disposal Unit #8/9	65,500	65,500
17–D–402 Saltstone Disposal Unit #7	10,716	10,716
Total, Construction	**101,216**	**101,216**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Total, Savannah River site	**1,531,659**	**1,578,159**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15–D–412 Utility Saft	50,000	50,000
21–D–401 Hoisting Capability Project	10,000	10,000
Total, Construction	**60,000**	**60,000**
Total, Waste Isolation Pilot Plant	**383,260**	**383,260**
Program direction	275,285	275,285
Program support	12,979	12,979
Technology development	25,000	25,000
Safeguards and Security		
Safeguards and Security	320,771	320,771
Total, Safeguards and Security	**320,771**	**320,771**
Prior year balances credited	–109,000	–109,000
Total, Defense Environmental Cleanup	**4,983,608**	**5,773,708**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	134,320	134,320
Program direction	75,368	75,368
Total, Environment, Health, safety and security	**209,688**	**209,688**
Independent enterprise assessments		
Independent enterprise assessments	26,949	26,949
Program direction	54,635	54,635
Total, Independent enterprise assessments	**81,584**	**81,584**
Specialized security activities	258,411	258,411
Office of Legacy Management		
Legacy management	293,873	138,435
Rejection of proposed transfer		[–155,438]
Program direction	23,120	23,120
Total, Office of Legacy Management	**316,993**	**161,555**
Defense related administrative support	183,789	183,789
Office of hearings and appeals	4,262	4,262
Subtotal, Other defense activities	**1,054,727**	**899,289**
Total, Other Defense Activities	**1,054,727**	**899,289**

DIVISION E—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE ACT OF 2020

SEC. 5001. SHORT TITLE.

This division may be cited as the ''National Artificial Intelligence Initiative Act of 2020''.

SEC. 5002. FINDINGS.

Congress finds the following:

(1) Artificial intelligence is a tool that has the potential to change and possibly transform every sector of the United States economy and society.

(2) The Federal Government should continue to play an important role advancing research, development, standards, and education activities in artificial intelligence through coordination and collaboration between government, academia, and the private sector to leverage the intellectual, physical, and digital resources of each stakeholder.

(3) The Federal Government lacks clear understanding of the capabilities of artificial intelligence and its potential to affect various social and economic sectors, including ethical concerns, national security implications, and workforce impacts.

(4) Researchers from academia, Federal laboratories, and much of the private sector have limited access to many high-quality datasets, computing resources, or real-world testing environments to design and deploy safe and trustworthy artificial intelligence systems.

(5) There is a lack of standards and benchmarking for artificial intelligence systems that academia and the public and private sectors can use to evaluate the performance of these systems before and after deployment.

(6) Artificial intelligence is increasingly becoming a highly interdisciplinary field with expertise required from a diverse range of scientific and other scholarly disciplines that traditionally work independently and continue to face cultural and institutional barriers to large scale collaboration.

(7) Current Federal investments and funding mechanisms are largely insufficient to incentivize and support the large-scale interdisciplinary and public-private collaborations that will be required to advance trustworthy artificial intelligence systems in the United States.

(8) The United States education pipeline for artificial intelligence fields faces significant challenges. Not only does the artificial intelligence research field lack the gender and racial diversity of the American population as a whole, but it is failing to both retain researchers and adequately support educators to meet the demands of the next generation of students studying artificial intelligence.

(9) In order to help drive forward advances in trustworthy artificial intelligence across all sectors and to the benefit of all Americans, the Federal Government must provide sufficient resources and use its convening power to facilitate the growth of artificial intelligence human capital, research, and innovation capacity in academia and other nonprofit research organizations, companies of all sizes and across all sectors, and within the Federal Government.

SEC. 5003. DEFINITIONS.

In this division:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the National Artificial Intelligence Advisory Committee established under section 5104(a).

(2) AGENCY HEAD.—The term ''agency head'' means the head of any Executive agency (as defined in section 105 of title 5, United States Code).

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human-based inputs to—

(A) perceive real and virtual environments;

(B) abstract such perceptions into models through analysis in an automated manner; and

(C) use model inference to formulate options for information or action.

(4) INITIATIVE.—The term ''Initiative'' means the National Artificial Intelligence Initiative established under section 5101(a).

(5) INITIATIVE OFFICE.—The term ''Initiative Office'' means the National Artificial Intelligence Initiative Office established under section 5102(a).

(6) INSTITUTE.—The term ''Institute'' means an Artificial Intelligence Research Institute described in section 201(b)(1).

(7) INTERAGENCY COMMITTEE.—The term ''Interagency Committee'' means the interagency committee established under section 5103(a).

(8) K-12 EDUCATION.—The term ''K-12 education'' means elementary school and secondary education, as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) MACHINE LEARNING.—The term ''machine learning'' means an application of artificial intelligence that is characterized by providing systems the ability to automatically learn and improve on the basis of data or experience, without being explicitly programmed.

TITLE I—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE

SEC. 5101. NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE.

(a) ESTABLISHMENT; PURPOSES.—The President shall establish and implement an initiative to be known as the ''National Artificial Intelligence Initiative''. The purposes of the Initiative shall be to—

(1) ensure continued United States leadership in artificial intelligence research and development;

(2) lead the world in the development and use of trustworthy artificial intelligence systems in the public and private sectors;

(3) maximize the benefits of artificial intelligence systems for all American people; and

(4) prepare the present and future United States workforce for the integration of artificial intelligence systems across all sectors of the economy and society.

(b) INITIATIVE ACTIVITIES.—In carrying out the Initiative, the President, acting through the Initiative Office, the Interagency Committee, and agency heads as the President considers appropriate, shall carry out activities that include the following:

(1) Sustained, consistent, and coordinated support for artificial intelligence research and development through grants, cooperative agreements, testbeds, and access to data and computing resources.

(2) Support for the development of voluntary standards, best practices, and benchmarks for the development and use of trustworthy artificial intelligence systems.

(3) Support for educational programs at all levels, in both formal and informal learning environments, to prepare the American workforce and the general public to be able to use and interact with artificial intelligence systems, as well as adapt to the potentially transformative impact of artificial intelligence on society and the economy.

(4) Support for interdisciplinary research, education, and training programs for students and researchers that promote learning in the methods and systems used in artificial intelligence and foster interdisciplinary perspectives and collaborations among subject matter experts in relevant fields, including computer science, mathematics, statistics, engineering, social sciences, psychology, behavioral science, ethics, security, legal scholarship, and other disciplines that will be necessary to advance artificial intelligence research and development responsibly.

(5) Support for partnerships to leverage knowledge, computing resources, access to open datasets, and other resources from industry, government, nonprofit organizations, Federal laboratories, State programs, and institutions of higher education to advance activities under the Initiative.

(6) Interagency planning and coordination of Federal artificial intelligence research, development, demonstration, standards engagement, and other activities under the Initiative.

(7) Establish the public sector infrastructure and artificial intelligence capabilities necessary to respond to pressing national challenges, including economic and public health emergencies such as pandemics.

(8) Outreach to diverse stakeholders, including citizen groups and industry, to ensure public input is taken into account in the activities of the Initiative.

(9) Leveraging existing Federal investments to advance objectives of the Initiative.

(10) Support for a network of interdisciplinary artificial intelligence research institutes, as described in section 5201(b)(7)(B).

(11) Support opportunities for international cooperation with strategic allies, as appropriate, on the research and development, assessment, and resources for trustworthy artificial intelligence systems and the development of voluntary consensus standards for those systems.

SEC. 5102. NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE OFFICE.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy shall establish or designate, and appoint a director of, an office to be known as the ''National Artificial Intelligence Initiative Office'' to carry out the responsibilities described in subsection (b) with respect to the Initiative. The Initiative Office shall have sufficient staff to carry out such responsibilities, including staff detailed from the Federal departments and agencies described in section 5103(c).

(b) RESPONSIBILITIES.—The Director of the Initiative Office shall—

(1) provide technical and administrative support to the Interagency Committee and the Advisory Committee;

(2) serve as the point of contact on Federal artificial intelligence activities for Federal departments and agencies, industry, academia, nonprofit organizations, professional societies, State governments, and such other persons as the Initiative Office considers appropriate to exchange technical and programmatic information;

(3) conduct regular public outreach to diverse stakeholders, including through the convening of conferences and educational events, the publication of information about significant Initiative activities on a publicly available website, and the dissemination of findings and recommendations of the Advisory Committee, as appropriate; and

(4) promote access to and early adoption of the technologies, innovations, lessons learned, and expertise derived from Initiative activities to agency missions and systems across the Federal Government, and to industry, including startup companies.

(c) FUNDING ESTIMATE.—The Director of the Office of Science and Technology Policy shall develop an estimate of the funds necessary to carry out the activities of the Initiative Coordination Office, including an estimate of how much each participating Federal department and agency described in section 5103(c) will contribute to such funds, and submit such estimate to Congress not later than 90 days after the enactment of this Act. The Director shall update this estimate each year based on participating agency investments in artificial intelligence.

SEC. 5103. COORDINATION BY INTERAGENCY COMMITTEE.

(a) INTERAGENCY COMMITTEE.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish or designate an Interagency Committee to coordinate Federal programs and activities in support of the Initiative.

(b) CO-CHAIRS.—The Interagency Committee shall be co-chaired by the Director of the Office of Science and Technology Policy and, on an annual rotating basis, a representative from the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(c) AGENCY PARTICIPATION.—The Committee shall include representatives from—

(1) the National Institute of Standards and Technology;

(2) the National Science Foundation;

(3) the Department of Energy;

(4) the National Aeronautics and Space Administration;

(5) the Department of Defense;

(6) the Defense Advanced Research Projects Agency;

(7) the Department of Commerce;

(8) the Office of the Director of National Intelligence;

(9) the Office of Management and Budget;

(10) the Office of Science and Technology Policy;

(11) the Department of Health and Human Services;

(12) the Department of Education;

(13) the Department of Labor;

(14) the Department of the Treasury;

(15) the General Services Administration;

(16) the Department of Transportation;

(17) the Department of State;

(18) the Department of Veterans Affairs; and

(19) any other Federal agency as considered appropriate by the Director of the Office of Science and Technology Policy.

(d) RESPONSIBILITIES.—The Interagency Committee shall—

(1) provide for interagency coordination of Federal artificial intelligence research, development, and demonstration activities, development of voluntary consensus standards and guidelines for research, development, testing, and adoption of ethically developed, safe, and trustworthy artificial intelligence systems, and education and training activities and programs of Federal departments and agencies undertaken pursuant to the Initiative;

(2) not later than 2 years after the date of the enactment of this Act, develop a strategic plan for artificial intelligence (to be updated not less than every 3 years) that—

(A) establishes goals, priorities, and metrics for guiding and evaluating the Initiative's activities; and

(B) describes how the agencies carrying out the Initiative will—

(i) determine and prioritize areas of artificial intelligence research, development, and demonstration requiring Federal Government leadership and investment;

(ii) support long-term funding for interdisciplinary artificial intelligence research, development, demonstration, education and public outreach activities;

(iii) support research and other activities on ethical, legal, environmental, safety, security, and other appropriate societal issues related to artificial intelligence;

(iv) provide or facilitate the availability of curated, standardized, secure, representative, and privacy-protected data sets for artificial intelligence research and development;

(v) provide or facilitate the necessary computing, networking, and data facilities for artificial intelligence research and development;

(vi) support and coordinate Federal education and workforce activities related to artificial intelligence;

(vii) reduce barriers to transferring artificial intelligence systems from the laboratory into application for the benefit of society and United States competitiveness;

(viii) support and coordinate the network of artificial intelligence research institutes described in section 5201(b)(7)(B);

(ix) in consultation with the Council of Economic Advisers, measure and track the contributions of artificial intelligence to United States economic growth and other societal indicators; and

(x) leverage the resources of the Initiative to respond to pressing national challenges, including economic and public health emergencies such as pandemics;

(3) propose an annually coordinated interagency budget for the Initiative to the Office of Management and Budget that is intended to ensure that the balance of funding across the Initiative is sufficient to meet the goals and priorities established for the Initiative; and

(4) in carrying out this section, take into consideration the recommendations of the Advisory

Committee, existing reports on related topics, and the views of academic, State, industry, and other appropriate groups.

(e) ANNUAL REPORT.—For each fiscal year beginning with fiscal year 2022, not later than 90 days after submission of the President's annual budget request for such fiscal year, the Interagency Committee shall prepare and submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a summarized budget in support of the Initiative for such fiscal year and the preceding fiscal year, including a disaggregation of spending for each Federal agency participating in the Initiative and for the development and acquisition of any research facilities and instrumentation; and

(2) an assessment of how Federal agencies are implementing the plan described in subsection (d)(2), and a description of those efforts.

SEC. 5104. NATIONAL ARTIFICIAL INTELLIGENCE ADVISORY COMMITTEE.

(a) IN GENERAL.—The Secretary of Energy shall, in consultation with the Director of the Office of Science and Technology Policy, establish an advisory committee to be known as the ''National Artificial Intelligence Advisory Committee''.

(b) QUALIFICATIONS.—The Advisory Committee shall consist of members, appointed by the Secretary of Energy, who are representing broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, and Federal laboratories, that are qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence.

(c) MEMBERSHIP CONSIDERATION.—In selecting the members of the Advisory Committee, the Secretary of Energy may seek and give consideration to recommendations from the Congress, industry, nonprofit organizations, the scientific community (including the National Academy of Sciences, scientific professional societies, and academic institutions), the defense community, and other appropriate organizations.

(d) DUTIES.—The Advisory Committee shall advise the President and the Initiative Office on matters related to the Initiative, including recommendations related to—

(1) the current state of United States competitiveness and leadership in artificial intelligence, including the scope and scale of United States investments in artificial intelligence research and development in the international context;

(2) the progress made in implementing the Initiative, including a review of the degree to which the Initiative has achieved the goals under the metrics established by the Interagency Committee under section 5103(d)(2);

(3) the state of the science around artificial intelligence, including progress towards artificial general intelligence;

(4) the need to update the Initiative;

(5) the balance of activities and funding across the Initiative;

(6) whether the strategic plan developed or updated by the Interagency Committee established under section 5103(d)(2) is helping to maintain United States leadership in artificial intelligence;

(7) the management, coordination, and activities of the Initiative;

(8) whether ethical, legal, safety, security, and other appropriate societal issues are adequately addressed by the Initiative; and

(9) opportunities for international cooperation with strategic allies on artificial intelligence research activities and standards development.

(e) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 3 years thereafter, the Advisory Committee shall submit to the President, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the Advisory Committee's findings and recommendations under subsection (d).

(f) TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.—Non-Federal members of the Advisory Committee, while attending meetings of the Advisory Committee or while otherwise serving at the request of the head of the Advisory Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Committee who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

(g) FACA EXEMPTION.—The Secretary of Energy shall charter the Advisory Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), except that the Advisory Committee shall be exempt from section 14 of such Act.

SEC. 5105. NATIONAL ACADEMIES ARTIFICIAL INTELLIGENCE IMPACT STUDY ON WORKFORCE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Science Foundation shall enter into a contract with the National Research Council of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the current and future impact of artificial intelligence on the workforce of the United States across sectors.

(b) CONTENTS.—The study shall address—

(1) workforce impacts across sectors caused by the increased adoption of artificial intelligence, automation, and other related trends;

(2) workforce needs and employment opportunities generated by the increased adoption of artificial intelligence across sectors;

(3) research gaps and data needed to better understand and track both workforce impacts and workforce needs and opportunities generated by adoption of artificial intelligence systems across sectors; and

(4) recommendations to address the challenges and opportunities described in paragraphs (1), (2), and (3).

(c) STAKEHOLDERS.—In conducting the study, the National Academies of Sciences, Engineering, and Medicine shall seek input from a wide range of stakeholders in the public and private sectors.

(d) REPORT TO CONGRESS.—The contract entered into under subsection (a) shall require the National Academies of Sciences, Engineering, and Medicine, not later than 2 years after the date of the enactment of this Act, to—

(1) submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings and recommendations of the study conducted under subsection (a); and

(2) make a copy of such report available on a publicly accessible website.

SEC. 5106. GAO REPORT ON COMPUTATIONAL NEEDS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study of artificial intelligence computer hardware and computing required in order to maintain U.S. leadership in artificial intelligence research and development. The Comptroller General shall—

(1) assess the composition of civilian computing resources supported by the Federal Government at universities and Federal Laboratories, including programs with laboratory computing, high performance computing, cloud computing, quantum computing, edge computing, and other computing resources;

(2) evaluate projected needs for computing consumption and performance required by the public and private sector for the training, auditing, validation, testing, and use of artificial intelligence over the next five years; and

(3) offer recommendations to meet these projected needs.

SEC. 5107. NATIONAL AI RESEARCH RESOURCE TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Office of Science and Technology Policy, shall establish a task force—

(i) to investigate the feasibility and advisability of establishing and sustaining a national artificial intelligence research resource; and

(ii) to propose a roadmap detailing how such resource should be established and sustained.

(B) DESIGNATION.—The task force established by subparagraph (A) shall be known as the ''National Artificial Intelligence Research Resource Task Force'' (in this section referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Task Force shall be composed of 12 members selected by the co-chairpersons of the Task Force from among technical experts in artificial intelligence or related subjects, of whom—

(i) 4 shall be representatives from the Interagency Committee established in section 5103, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(iii) 4 shall be representatives from private organizations.

(B) APPOINTMENT.—Not later than 120 days after enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force pursuant to subparagraph (A).

(C) TERM OF APPOINTMENT.—Members of the Task Force shall be appointed for the life of the Task Force.

(D) VACANCY.—Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

(E) CO-CHAIRPERSONS.—The Director of the Office of Science and Technology Policy and the Director of the National Sciences Foundation, or their designees, shall be the co-chairpersons of the Task Force. If the role of the Director of the National Science Foundation is vacant, the Chair of the National Science Board shall act as a co-chairperson of the Task Force.

(F) EXPENSES FOR NON-FEDERAL MEMBERS.—Non-Federal Members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(b) ROADMAP AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Task Force shall develop a coordinated roadmap and implementation plan for creating and sustaining a National Artificial Intelligence Research Resource.

(2) CONTENTS.—The roadmap and plan required by paragraph (1) shall include the following:

(A) Goals for establishment and sustainment of a national artificial intelligence research resource and metrics for success.

(B) A plan for ownership and administration of the National Artificial Intelligence Research Resource, including—

(i) an appropriate agency or organization responsible for the implementation, deployment, and administration of the Resource; and

(ii) a governance structure for the resource, including oversight and decision-making authorities.

(C) A model for governance and oversight to establish strategic direction, make programmatic decisions, and manage the allocation of resources;

(D) Capabilities required to create and maintain a shared computing infrastructure to facilitate access to computing resources for researchers across the country, including scalability, secured access control, resident data engineering and curation expertise, provision of curated, data sets, compute resources, educational tools and services, and a user interface portal.

(E) An assessment of, and recommend solutions to, barriers to the dissemination and use of high-quality government data sets as part of the national artificial intelligence research resource.

(F) An assessment of security requirements associated with the national artificial intelligence research resource and its research and recommend a framework for the management of access controls.

(G) An assessment of privacy and civil liberties requirements associated with the national artificial intelligence research resource and its research.

(H) A plan for sustaining the resources, including through Federal funding and partnerships with the private sector.

(I) The parameters for the establishment and sustainment of the national artificial intelligence resource, including agency roles and responsibilities and milestones to implement the resource.

(c) CONSULTATIONS.—In conducting its duties required under subsection (b), the Task Force shall consult with the following:

(1) The National Science Foundation.

(2) The Office of Science and Technology Policy.

(3) The National Academies of Sciences, Engineering, and Medicine.

(4) The National Institute of Standards and Technology.

(5) The Defense Advanced Research Projects Agency.

(6) The Intelligence Advanced Research Projects Activity.

(7) The Department of Energy.

(8) The Department of Defense.

(9) The General Services Administration.

(10) Private industry.

(11) Institutions of higher education.

(12) Such other persons as the Task Force considers appropriate.

(d) STAFF.—Staff of the Task Force shall comprise detailees with expertise in artificial intelligence, or related fields from the Office of Science and Technology Policy, the National Science Foundation, or any other agency the co-chairs deem appropriate, with the consent of the head of the agency. The co-chairs shall also be authorized to hire staff from outside the Federal government for the duration of the task force.

(e) TASK FORCE REPORTS.—

(1) INITIAL REPORT.—Not later than 12 months after the date on which all of the appointments have been made under subsection (a)(2)(B), the Task Force shall submit to Congress and the President an interim report containing the findings, conclusions, and recommendations of the Task Force. The report shall include specific recommendations regarding steps the Task Force believes necessary for the establishment and sustainment of a national artificial intelligence research resource.

(2) FINAL REPORT.—Taking into account the findings of the Government Accountability Office report required in section 106 of this Act, not later than 6 months after the submittal of the interim report under paragraph (1), the Task Force shall submit to Congress and the President a final report containing the findings, conclusions, and recommendations of the Task Force, including the specific recommendations required by subsection (b).

(f) TERMINATION.—

(1) IN GENERAL.—The Task Force shall terminate 90 days after the date on which it submits the final report under subsection (e)(2).

(2) RECORDS.—Upon termination of the Task Force, all of its records shall become the records of the National Archives and Records Administration.

(g) DEFINITIONS.—In this section:

(1) NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE AND RESOURCE.—The terms ''National Artificial Intelligence Research Resource'' and ''Resource'' mean a system that provides researchers and students across scientific fields and disciplines with access to compute resources, co-located with publicly-available, artificial intelligence-ready government and non-government data sets and a research environment with appropriate educational tools and user support.

(2) OWNERSHIP.—The term ''ownership'' means responsibility and accountability for the implementation, deployment, and ongoing development of the National Artificial Intelligence Research Resource, and for providing staff support to that effort.

SEC. 5108. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) artificial intelligence systems have the potential to transform every sector of the United States economy, boosting productivity, enhancing scientific research, and increasing U.S. competitiveness; and

(2) the United States Government should use this Initiative to enable the benefits of trustworthy artificial intelligence while preventing the creation and use of artificial intelligence systems that behave in ways that cause harm, including—

(A) high-risk systems that lack sufficient robustness to prevent adversarial attacks;

(B) high-risk systems that harm the privacy or security of users or the general public; and

(C) artificial general intelligence systems that may become self-aware or uncontrollable.

TITLE II—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES

SEC. 5201. NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Science Foundation shall establish a program to award financial assistance for the planning, establishment, and support of Institutes (as described in subsection (b)(2)) in accordance with this section.

(b) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES.—

(1) IN GENERAL.—Under the Initiative, the Secretary of Energy, the Secretary of Commerce, the Director of the National Science Foundation, and every other agency head may award financial assistance to an eligible entity, or consortia thereof, as determined by an agency head, to establish and support an Institute.

(2) ARTIFICIAL INTELLIGENCE INSTITUTES.—An Institute described in this subsection is an artificial intelligence research institute that—

(A) is focused on—

(i) a particular economic or social sector, including health, education, manufacturing, agriculture, security, energy, and environment, and includes a component that addresses the ethical, societal, safety, and security implications relevant to the application of artificial intelligence in that sector; or

(ii) a cross-cutting challenge for artificial intelligence systems, including trustworthiness, or foundational science;

(B) requires partnership among public and private organizations, including, as appropriate, Federal agencies, research universities, community colleges, nonprofit research organizations, Federal laboratories, State, local, and tribal governments, and industry (or consortia thereof);

(C) has the potential to create an innovation ecosystem, or enhance existing ecosystems, to translate Institute research into applications and products, as appropriate to the topic of each Institute;

(D) supports interdisciplinary research and development across multiple institutions and organizations involved in artificial intelligence research and related disciplines, including physics, engineering, mathematical sciences, computer and information science, robotics, biological and cognitive sciences, material science, social and behavioral sciences, cybersecurity, and technology ethics;

(E) supports interdisciplinary education activities, including curriculum development, research experiences, and faculty professional development across two-year, undergraduates, masters, and doctoral level programs; and

(F) supports workforce development in artificial intelligence related disciplines in the United States, including broadening participation of underrepresented communities.

(3) USE OF FUNDS.—Financial assistance awarded under paragraph (1) may be used by an Institute for—

(A) managing and making available to researchers accessible, curated, standardized, secure, and privacy protected data sets from the public and private sectors for the purposes of training and testing artificial intelligence systems and for research using artificial intelligence systems, pursuant to section 5301(b) and 5301(c);

(B) developing and managing testbeds for artificial intelligence systems, including sector-specific test beds, designed to enable users to evaluate artificial intelligence systems prior to deployment;

(C) conducting research and education activities involving artificial intelligence systems to solve challenges with social, economic, health, scientific, and national security implications;

(D) providing or brokering access to computing resources, networking, and data facilities for artificial intelligence research and development relevant to the Institute's research goals;

(E) providing technical assistance to users, including software engineering support, for artificial intelligence research and development relevant to the Institute's research goals;

(F) engaging in outreach and engagement to broaden participation in artificial intelligence research and workforce; and

(G) such other activities that an agency head, whose agency's missions contribute to or are affected by artificial intelligence, considers consistent with the purposes described in section 5101(a).

(4) DURATION.—

(A) INITIAL PERIODS.—An award of financial assistance under paragraph (1) shall be awarded for an initial period of 5 years.

(B) EXTENSION.—An established Institute may apply for, and the agency head may grant, extended funding for periods of 5 years on a merit-reviewed basis using the merit review criteria of the sponsoring agency.

(5) APPLICATION FOR FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—A person or group of persons seeking financial assistance under paragraph (1) shall submit to an agency head an application at such time, in such manner, and containing such information as the agency head may require.

(B) REQUIREMENTS.—An application submitted under subparagraph (A) for an Institute shall, at a minimum, include the following:

(i) A plan for the Institute to include—

(I) the proposed goals and activities of the Institute;

(II) how the Institute will form partnerships with other research institutions, industry, and nonprofits to leverage expertise in artificial intelligence and access to data, including non-governmental data and computing resources;

(III) how the institute will support long-term and short-term education and workforce development in artificial intelligence, including broadening participation of underrepresented communities; and

(IV) a plan for how the Institute will transition from planning into operations.

(ii) A description of the anticipated sources and nature of any non-Federal contributions, including privately held data sets, computing resources, and other types of in-kind support.

(iii) A description of the anticipated long-term impact of such Institute.

(6) COMPETITIVE, MERIT REVIEW.—In awarding financial assistance under paragraph (1), the agency head shall—

(A) use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise from both the private and public sectors; and

(B) ensure the focus areas of the Institute do not substantially duplicate the efforts of any other Institute.

(7) COLLABORATION.—

(A) IN GENERAL.—In awarding financial assistance under paragraph (1), an agency head may collaborate with Federal departments and agencies whose missions contribute to or are affected by artificial intelligence systems, including the agencies outlined in section 5103(c).

(B) COORDINATING NETWORK.—The Director of the National Science Foundation shall establish a network of Institutes receiving financial assistance under this subsection, to be known as the ''Artificial Intelligence Leadership Network'', to coordinate cross-cutting research and other activities carried out by the Institutes.

(C) FUNDING.—The head of an agency may request, accept, and provide funds from other Federal departments and agencies, State, United States territory, local, or tribal government agencies, private sector for-profit entities, and nonprofit entities, to be available to the extent provided by appropriations Acts, to support an Institute's activities. The head of an agency may not give any special consideration to any agency or entity in return for a donation.

TITLE III—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ARTIFICIAL INTELLIGENCE ACTIVITIES

SEC. 5301. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIVITIES.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Institute of Standards and Technology shall—

(1) support measurement research and development of best practices and voluntary standards for trustworthy artificial intelligence systems, including for—

(A) privacy and security, including for datasets used to train or test artificial intelligence systems and software and hardware used in artificial intelligence systems;

(B) advanced computer chips and hardware designed for artificial intelligence systems;

(C) data management and techniques to increase the usability of data, including strategies to systematically clean, label, and standardize data into forms useful for training artificial intelligence systems and the use of common, open licenses;

(D) safety and robustness of artificial intelligence systems, including assurance, verification, validation, security, control, and the ability for artificial intelligence systems to withstand unexpected inputs and adversarial attacks;

(E) auditing mechanisms and benchmarks for accuracy, transparency, verifiability, and safety assurance for artificial intelligence systems;

(F) applications of machine learning and artificial intelligence systems to improve other scientific fields and engineering;

(G) model documentation, including performance metrics and constraints, measures of fairness, training and testing processes, and results;

(H) system documentation, including connections and dependences within and between systems, and complications that may arise from such connections; and

(I) all other areas deemed by the Director to be critical to the development and deployment of trustworthy artificial intelligence;

(2) produce curated, standardized, representative, secure, and privacy protected data sets for artificial intelligence research, development, and use, prioritizing data for high-value, high-risk research;

(3) support one or more institutes as described in section 5201(a) for the purpose of advancing the field of artificial intelligence;

(4) support and strategically engage in the development of voluntary consensus standards, including international standards, through open, transparent, and consensus-based processes;

(5) taking into account the findings from the National Academies study in section 5105, develop taxonomies and lexica to describe artificial intelligence tasks, knowledge, skills, abilities, competencies, and work roles to guide career development, education, and training activities in industry, academia, nonprofit organizations, and the Federal government, identify workforce gaps in the public and private sector, and create criteria and measurement for credentials in artificial intelligence-related careers; and

(6) enter into and perform such contracts, including cooperative research and development arrangements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of the work of the National Institute of Standards and Technology and on such terms as the Director considers appropriate, in furtherance of the purposes of this division.

(b) RISK MANAGEMENT FRAMEWORK.—Not later than 2 years after the date of the enactment of this Act, the Director shall work to develop, and periodically update, in collaboration with other public and private sector organizations, including the National Science Foundation and the Department of Energy, a voluntary risk management framework for the trustworthiness of artificial intelligence systems. The framework shall—

(1) identify and provide standards, guidelines, best practices, methodologies, procedures, and processes for assessing the trustworthiness of, and mitigating risks to, artificial intelligence systems;

(2) establish common definitions and characterizations for aspects and levels of trustworthiness, including explainability, transparency, safety, privacy, security, robustness, fairness, bias, ethics, validation, verification, interpretability, and other properties related to artificial intelligence systems that are common across all sectors;

(3) provide guidance and implementation steps for risk management of artificial intelligence systems;

(4) provide sector-specific case studies of implementation of the framework;

(5) align with voluntary consensus standards, including international standards, to the fullest extent possible;

(6) incorporate voluntary consensus standards and industry best practices; and

(7) not prescribe or otherwise require—

(A) the use of specific solutions; or

(B) the use of specific information or communications technology products or services.

(c) DATA SHARING AND DOCUMENTATION BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, the Director shall, in collaboration with other public and private sector organizations, develop guidance to facilitate the creation of voluntary data sharing arrangements between industry, federally funded research centers, and Federal agencies for the purpose of advancing artificial intelligence research and technologies, including—

(1) options for partnership models between government entities, industry, universities, and nonprofits that incentivize each party to share the data they collected; and

(2) best practices for datasets used to train artificial intelligence systems, including—

(A) standards for metadata that describe the properties of datasets, including—

(i) the origins of the data;

(ii) the intent behind the creation of the data;

(iii) authorized uses of the data;

(iv) descriptive characteristics of the data, including what populations are included and excluded from the datasets; and

(v) any other properties as determined by the Director; and

(B) standards for privacy and security of datasets with human characteristics.

(d) STAKEHOLDER OUTREACH.—In carrying out the activities under this subsection, the Director shall—

(1) solicit input from university researchers, private sector experts, relevant Federal agencies, Federal laboratories, State and local governments, civil society groups, and other relevant stakeholders;

(2) solicit input from experts in relevant fields of social science, technology ethics, and law; and

(3) provide opportunity for public comment on guidelines and best practices developed as part of the Initiative, as appropriate.

TITLE IV—NATIONAL SCIENCE FOUNDATION ARTIFICIAL INTELLIGENCE ACTIVITIES

SEC. 5401. ARTIFICIAL INTELLIGENCE RESEARCH AND EDUCATION.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Science Foundation shall fund research and education activities in artificial intelligence systems and related fields, including competitive awards or grants to institutions of higher education or eligible nonprofit organizations (or consortia thereof).

(b) USES OF FUNDS.—In carrying out the activities under subsection (a), the Director of the National Science Foundation shall—

(1) support research, including interdisciplinary research on artificial intelligence systems and related areas;

(2) support collaborations among researchers across disciplines, including between social scientists and computer and data scientists, to advance research critical to the development and deployment of trustworthy artificial intelligence systems, including support for interdisciplinary research relating advances in artificial intelligence to changes in the future workplace, in a social and economic context;

(3) use the existing programs of the National Science Foundation, in collaboration with other Federal departments and agencies, as appropriate to—

(A) improve the teaching and learning of artificial intelligence systems at all levels of education; and

(B) increase participation in artificial intelligence related fields, including by individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunity Act (42 U.S.C. 1885a, 1885b);

(4) engage with institutions of higher education, research communities, industry, Federal laboratories, nonprofit organizations, State and local governments, and potential users of information produced under this section, including through the convening of workshops and conferences, to leverage the collective body of knowledge across disciplines relevant to artificial intelligence, facilitate new collaborations and partnerships, and identify emerging research needs;

(5) support partnerships among institutions of higher education and industry that facilitate collaborative research, personnel exchanges, and workforce development with respect to artificial intelligence systems;

(6) ensure adequate access to research and education infrastructure with respect to artificial intelligence systems, including through the development of new computing resources and partnership with the private sector for the provision of cloud-based computing services;

(7) conduct prize competitions, as appropriate, pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719);

(8) coordinate research efforts funded through existing programs across the directorates of the National Science Foundation;

(9) provide guidance on data sharing by grantees to public and private sector organizations consistent with the standards and guidelines developed under section 5301(c); and

(10) evaluate opportunities for international collaboration with strategic allies on artificial intelligence research and development.

(c) ARTIFICIAL INTELLIGENCE RESEARCH GRANTS.—

(1) IN GENERAL.—The Director shall award grants for research on artificial intelligence systems. Research areas may include—

(A) artificial intelligence systems, including machine learning, computer vision, robotics, and hardware for accelerating artificial intelligence systems;

(B) artificial intelligence-enabled systems;

(C) fields and research areas that will contribute to the advancement of artificial intelligence systems, including information theory, causal and statistical inference, data mining, information extraction, human-robot interaction, and intelligent interfaces;

(D) fields and research areas that increase understanding of human characteristics relevant to artificial intelligence systems, including computational neuroscience, reasoning and representation, speech and language, multi-agent systems, intelligent interfaces, human-artificial intelligence cooperation, and artificial intelligence-augmented human problem solving;

(E) fields and research areas that increase understanding of learning, adaptability, and resilience beyond the human cognitive model, including topics in developmental biology, zoology, botany, morphological computation, and organismal systems;

(F) fields and research areas that will contribute to the development and deployment of trustworthy artificial intelligence systems, including—

(i) algorithmic explainability;

(ii) methods to assess, characterize, and reduce bias in datasets and artificial intelligence systems; and

(iii) safety and robustness of artificial intelligence systems, including assurance, verification, validation, security, and control;

(G) privacy and security, including for datasets used for the training and inference of artificial intelligence systems, and software and hardware used in artificial intelligence systems;

(H) fields and research areas that address the application of artificial intelligence systems to scientific discovery and societal challenges, including economic and public health emergencies;

(I) societal, ethical, safety, education, workforce, and security implications of artificial intelligence systems, including social impact of artificial intelligence systems on different groups within society, especially historically marginalized groups; and

(J) qualitative and quantitative forecasting of future capabilities, applications, and impacts.

(2) ENGINEERING SUPPORT.—In soliciting proposals for funding under this section, the Director shall permit applicants to include in their proposed budgets funding for software engineering support to assist with the proposed research.

(3) ETHICS.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) a number of emerging areas of research, including artificial intelligence, have potential ethical, social, safety, and security implications that might be apparent as early as the basic research stage;

(ii) the incorporation of ethical, social, safety, and security considerations into the research design and review process for Federal awards may help mitigate potential harms before they happen;

(iii) the National Science Foundation's intent to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study and make recommendations with respect to governance of research in emerging technologies is a positive step toward accomplishing this goal; and

(iv) the National Science Foundation should continue to work with stakeholders to understand and adopt policies that promote best practices for governance of research in emerging technologies at every stage of research.

(B) ETHICS STATEMENTS.—

(i) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director shall amend grant proposal instructions to include a requirement for an ethics statement to be included as part of any proposal for funding prior to making the award. Such statement shall be considered by the Director in the review of proposals, taking into consideration any relevant input from the peer-reviewers for the proposal, and shall factor into award decisions as deemed necessary by the Director.

(ii) CONTENTS.—Such statements may include, as appropriate—

(I) the potential societal benefits of the research;

(II) any foreseeable or quantifiable risks to society, including how the research could enable products, technologies, or other outcomes that could intentionally or unintentionally cause significant societal harm; and

(III) how technical or social solutions can mitigate such risks and, as appropriate, a plan to implement such mitigation measures.

(iii) GUIDANCE.—The Director shall issue clear guidance on what constitutes a foreseeable or quantifiable risk described in clause (ii)(II), and to the extent practical harmonize this policy with existing ethical policies or related requirements for human subjects.

(iv) ANNUAL REPORTS.—The Director shall encourage grantees to update their ethics statements as appropriate as part of the annual reports required by all grantees under the grant terms and conditions.

(d) EDUCATION.—

(1) IN GENERAL.—The Director of the National Science Foundation shall award grants for education programs at the K-12, community college, undergraduate, graduate, postdoctoral, adult learning, and retraining stages of education that—

(A) support the development of a diverse workforce pipeline for science and technology with respect to artificial intelligence systems;

(B) increase awareness of ethical, social, safety, and security implications of artificial intelligence systems; and

(C) promote the widespread understanding of artificial intelligence principles and methods to create an educated workforce and general public able to use products enabled by artificial intelligence systems and adapt to future societal and economic changes caused by artificial intelligence systems.

(2) USE OF FUNDS.—Grants awarded under this section for education activities referred to in paragraph (1) may be used for—

(A) collaborative interdisciplinary research, development, testing, and dissemination of K-12, undergraduate, and community college curriculum development, dissemination, and other educational tools and methods in artificial intelligence related fields;

(B) curriculum development in the field of technology ethics;

(C) support for informal education activities for K-12 students to engage with artificial intelligence systems, including mentorship programs for underrepresented populations;

(D) efforts to achieve equitable access to K-12 artificial intelligence education for populations and geographic areas traditionally underrepresented in the artificial intelligence field;

(E) training and professional development programs, including innovative pre-service and in-service programs, in artificial intelligence and related fields for K-12 teachers;

(F) efforts to improve the retention rate for researchers focusing on artificial intelligence systems at institutions of higher learning and other nonprofit research institutions;

(G) outreach programs to educate the general public about the uses of artificial intelligence and its societal implications;

(H) assessments of activities conducted under this subsection; and

(I) any other relevant activities the Director determines will accomplish the aim described in paragraph (1).

(3) ARTIFICIAL INTELLIGENCE TRAINEESHIPS AND FELLOWSHIPS.—

(A) ARTIFICIAL INTELLIGENCE TRAINEESHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall award grants to institutions of higher education to establish traineeship programs for graduate students who pursue artificial intelligence-related research leading to a masters or doctorate degree by providing funding and other assistance, and by providing graduate students opportunities for research experiences in government or industry related to the students' artificial intelligence studies.

(ii) USE OF FUNDS.—An institution of higher education shall use grant funds provided under clause (i) for the purposes of—

(I) providing traineeships to students who are pursuing research in artificial intelligence leading to a masters or doctorate degree;

(II) paying tuition and fees for students receiving traineeships who are citizens, nationals, or lawfully admitted permanent resident aliens of the United States;

(III) creating and requiring courses or training programs in technology ethics for students receiving traineeships;

(IV) creating opportunities for research in technology ethics for students receiving traineeships;

(V) establishing scientific internship programs for students receiving traineeships in artificial intelligence at for-profit institutions, nonprofit research institutions, or government laboratories; and

(VI) other costs associated with the administration of the program.

(B) ARTIFICIAL INTELLIGENCE FELLOWSHIPS.—The Director of the National Science Foundation shall award fellowships to masters and doctoral students and postdoctoral researchers at institutions of higher education who are pursuing degrees or research in artificial intelligence and related fields, including in the field of technology ethics. In making such awards, the Director shall—

(i) ensure recipients of artificial intelligence fellowships are citizens, nationals, or lawfully admitted permanent resident aliens of the United States; and

(ii) conduct outreach, including through formal solicitations, to solicit proposals from students and postdoctoral researchers seeking to carry out research in aspects of technology ethics with relevance to artificial intelligence systems.

(C) FACULTY RECRUITMENT FELLOWSHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall establish a program to award grants to institutions of higher education to recruit and retain tenure-track or tenured faculty in artificial intelligence and related fields.

(ii) USE OF FUNDS.—An institution of higher education shall use grant funds provided under clause (i) for the purposes of—

(I) recruiting new tenure-track or tenured faculty members to that conduct research and teaching in artificial intelligence and related fields and research areas, including technology ethics; and

(II) paying salary and benefits for the academic year of newly recruited tenure-track or tenured faculty members for a duration of up to three years.

(D) FACULTY TECHNOLOGY ETHICS FELLOWSHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall establish a program to award fellowships to tenure-track and tenured faculty in social and behavioral sciences, ethics, law, and related fields to develop new research projects and partnerships in technology ethics,

in collaboration with faculty conducting empirical research in artificial intelligence and related fields.

(ii) PURPOSES.—The purposes of such fellowships are to enable researchers in social and behavioral sciences, ethics, law, and related fields to establish new research and education partnerships with researchers in artificial intelligence and related fields; learn new techniques and acquire systematic knowledge in artificial intelligence and related fields; shift their research to focus on technology ethics; and mentor and advise graduate students and postdocs pursuing research in technology ethics.

(iii) USES OF FUNDS.—A fellowship may include salary and benefits for up to one academic year and additional expenses to support coursework or equivalent training in artificial intelligence systems.

(E) UPDATE TO ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM.—Section 10(i)(5) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1(i)(5)) is amended by inserting ''and artificial intelligence'' after ''computer science''.

(4) UPDATE TO ADVANCED TECHNOLOGICAL EDUCATION PROGRAM.—

(A) IN GENERAL.—Section 3(b) of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862(i)) is amended by striking ''10'' and inserting ''12''.

(B) ARTIFICIAL INTELLIGENCE CENTERS OF EXCELLENCE.—The Director of the National Science Foundation shall establish national centers of scientific and technical education to advance education and workforce development in areas related to artificial intelligence pursuant to Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862(i)). Activities of such centers may include—

(i) the development, dissemination, and evaluation of curriculum and other educational tools and methods in artificial intelligence related fields and research areas, including technology ethics;

(ii) the development and evaluation of artificial intelligence related certifications for 2-year programs; and

(iii) interdisciplinary science and engineering research in employment-based adult learning and career retraining related to artificial intelligence fields.

TITLE V—DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE RESEARCH PROGRAM

SEC. 5501. DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE RESEARCH PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out a cross-cutting research and development program to advance artificial intelligence tools, systems, capabilities, and workforce needs and to improve the reliability of artificial intelligence methods and solutions relevant to the mission of the Department. In carrying out this program, the Secretary shall coordinate across all relevant offices and programs at the Department, including the Office of Science, the Office of Energy Efficiency and Renewable Energy, the Office of Nuclear Energy, the Office of Fossil Energy, the Office of Electricity, the Office of Cybersecurity, Energy Security, and Emergency Response, the Advanced Research Projects Agency-Energy, and any other relevant office determined by the Secretary.

(b) RESEARCH AREAS.—In carrying out the program under subsection (a), the Secretary shall award financial assistance to eligible entities to carry out research projects on topics including—

(1) the application of artificial intelligence systems to improve large-scale simulations of natural and other phenomena;

(2) the study of applied mathematics, computer science, and statistics, including foundations of methods and systems of artificial intelligence, causal and statistical inference, and the development of algorithms for artificial intelligence systems;

(3) the analysis of existing large-scale datasets from science and engineering experiments and simulations, including energy simulations and other priorities at the Department as determined by the Secretary using artificial intelligence tools and techniques;

(4) the development of operation and control systems that enhance automated, intelligent decisionmaking capabilities;

(5) the development of advanced computing hardware and computer architecture tailored to artificial intelligence systems, including the codesign of networks and computational hardware;

(6) the development of standardized datasets for emerging artificial intelligence research fields and applications, including methods for addressing data scarcity; and

(7) the development of trustworthy artificial intelligence systems, including—

(A) algorithmic explainability;

(B) analytical methods for identifying and mitigating bias in artificial intelligence systems; and

(C) safety and robustness, including assurance, verification, validation, security, and control.

(c) TECHNOLOGY TRANSFER.—In carrying out the program under subsection (a), the Secretary shall support technology transfer of artificial intelligence systems for the benefit of society and United States economic competitiveness.

(d) FACILITY USE AND UPGRADES.—In carrying out the program under subsection (a), the Secretary shall—

(1) make available high-performance computing infrastructure at national laboratories;

(2) make any upgrades necessary to enhance the use of existing computing facilities for artificial intelligence systems, including upgrades to hardware;

(3) establish new computing capabilities necessary to manage data and conduct high performance computing that enables the use of artificial intelligence systems; and

(4) maintain and improve, as needed, networking infrastructure, data input and output mechanisms, and data analysis, storage, and service capabilities.

(e) ETHICS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall amend grant proposal instructions to include a requirement for an ethics statement to be included as part of any proposal for funding prior to making the award. Such statement shall be considered by the Secretary in the review of proposals, taking into consideration any relevant input from the peer-reviewers for the proposal, and shall factor into award decisions as deemed necessary by the Secretary. Such statements may include, as appropriate—

(A) the potential societal benefits of the research;

(B) any foreseeable or quantifiable risks to society, including how the research could enable products, technologies, or other outcomes that could intentionally or unintentionally cause significant societal harm; and

(C) how technical or social solutions can mitigate such risks and, as appropriate, a plan to implement such mitigation measures.

(2) GUIDANCE.—The Secretary shall issue clear guidance on what constitutes risks as described in section (1)(B), and to the extent practical harmonize this policy with existing ethical policies or related requirements for human subjects.

(3) ANNUAL REPORTS.—The Secretary shall encourage awardees to update their ethics statements as appropriate as part of the annual reports required by all awardees under the grant terms and conditions.

(f) RISK MANAGEMENT.—The Secretary shall review agency policies for risk management in artificial intelligence related projects and issue as necessary policies and principles that are consistent with the framework developed under section 5301(b).

(g) DATA PRIVACY AND SHARING.—The Secretary shall review agency policies for data sharing with other public and private sector organizations and issue as necessary policies and principles that are consistent with the standards and guidelines submitted under section 5301(c). In addition, the Secretary shall establish a streamlined mechanism for approving research projects or partnerships that require sharing sensitive public or private data with the Department.

(h) PARTNERSHIPS WITH OTHER FEDERAL AGENCIES.—The Secretary may request, accept, and provide funds from other Federal departments and agencies, State, United States territory, local, or Tribal government agencies, private sector for-profit entities, and nonprofit entities, to be available to the extent provided by appropriations Acts, to support a research project or partnership carried out under this section. The Secretary may not give any special consideration to any agency or entity in return for a donation.

(i) STAKEHOLDER ENGAGEMENT.—In carrying out the activities authorized in this section, the Secretary shall—

(1) collaborate with a range of stakeholders including small businesses, institutes of higher education, industry, and the National Laboratories;

(2) leverage the collective body of knowledge from existing artificial intelligence and machine learning research; and

(3) engage with other Federal agencies, research communities, and potential users of information produced under this section.

(j) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) NATIONAL LABORATORY.—The term ''national laboratory'' has the meaning given such term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) ELIGIBLE ENTITIES.—The term ''eligible entities'' means—

(A) an institution of higher education;

(B) a National Laboratory;

(C) a Federal research agency;

(D) a State research agency;

(E) a nonprofit research organization;

(F) a private sector entity; or

(G) a consortium of 2 or more entities described in subparagraph (A) through (F).

The SPEAKER pro tempore. The bill, as amended, is debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentleman from Washington (Mr. SMITH) and the gentleman from Texas (Mr. THORNBERRY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 6395.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have before us today the National Defense Authorization

Act for Fiscal Year 2021. It is an important piece of legislation that we have done every year for 59 consecutive years. We are going for 60 this year.

It is incredibly important that the United States Congress, the House and the Senate, exercise our oversight over the Department of Defense and our national security budget and priorities, and this bill reflects that.

I want to start by thanking a lot of people who have done an enormous amount of work to make this possible. We started in committee a couple of weeks ago. We had over 650 amendments submitted to the original mark of the chairman and the subcommittee marks. We processed those amendments and actually adopted 475 amendments in committee.

I want to thank our staff more than I possibly can for the incredible amount of work that they did to go through all of those amendments, to work with Members, to work with various interested parties to get us to that product. I am very pleased that we were able to get that done, and we passed the bill out of the Armed Services Committee unanimously, 56–0, with broad support.

At this point, I want to thank the ranking member of the committee, Mr. THORNBERRY, for his incredible leadership during this process. He has been a terrific partner, both when he was chairman of the committee and now that he is the ranking member of the committee.

As all of you know, this will be his last NDAA, as he is retiring from Congress. I want to once again thank him for his great work and his great leadership and really emphasize a point that I have made many, many times.

The Armed Services Committee works in a bipartisan way and produces a legislative product in a manner that I think should be an example for all of Congress. That does not happen by accident. It happens because of leadership.

When Mr. THORNBERRY became chairman of the committee and I was ranking member, MAC showed that leadership from the very start. He understood the priority of getting the bill done and of working in a bipartisan way to do that. Because of that leadership, that example has been set for the committee, and we have been able to continue to accomplish that.

I also want to thank the Rules Committee. That is not an easy job in the best of times, and, as we all know, these are not the best of times. 752 amendments were submitted to be added to this bill this year. The Rules Committee had to sift through and process all of those amendments to produce before you the rule that we all just approved today.

I thank their staff for doing that incredible work and do want to pause just one moment to thank the staff for the work they did in light of COVID–19. We all know that things cannot be run the way they normally are. We had to make adjustments. The staff in particular had to make those adjustments just getting our committee hearing room set up so that we could accommodate a social-distancing markup. It took an enormous amount of time and technological know-how. The staff did a fabulous job to get us to this point.

I guess what I am saying is it is no accident that we are here. A lot of work went to get us to the point to have what I think is an excellent product.

Again, we can't forget the central premise behind this product, and that is to support our national security policy and to make sure that the men and women who serve in our military, whom we assign with the task of implementing that policy, have the tools and training and equipment that they need to perform whatever tasks we ask them to do.

We can and should have a robust debate about what those jobs should be, what our national security priorities are, what we should fund, what we should do. But something we should never disagree on is the idea that whatever that is that we decide, the troops, the men and women who are charged with implementing it, are well equipped, protected, and supported in carrying out that mission. And that is what we attempt to do.

This year's bill had agreement from last year's budget agreement on our top-line budget of $741 billion. I think that was a good agreement that we reached on the defense and nondefense discretionary budget.

And I will say, going forward, this is one of the greatest challenges that we are going to face. We had a difficult budget environment before COVID–19. It is even more difficult now. We are going to have to make some very difficult choices in the decade ahead about what to fund, not just to meet our national security priorities, but to meet all of our priorities within that budget context.

I do want to thank the Secretary of Defense, Mark Esper, for his leadership in this regard. The Pentagon has gone to great lengths to do a bottom-up review, to really take a hard look at where they are spending money and to find savings, sometimes in the tens of billions of dollars. That type of effort is going to have to be ongoing, going forward, if we are going to be able to have a rational national security policy.

I also want to commend a number of the Members in our committee who have worked to really focus on diversity in this year's bill. I believe, in addition to the COVID–19 challenge that we face, the reckoning that we have as a country for the historic racism, discrimination, and bigotry that we have wrestled with, it is enormously important that we address that. This is society-wide, but within the Department of Defense there are issues to work on there as well.

We fund, to the tune of $17 million, aggressive efforts to increase the relationship between the Department of Defense and historically Black colleges and universities, to create and grow the pipeline of diversity into the Department of Defense, jobs both civilian and Active Duty.

We also have now created a chair of diversity within DOD, whose job it is to look and make sure that we are, in fact, hiring and promoting people in a way that is equitable, and we have also set aside a special inspector general to examine that question.

Also, thanks to the leadership of Congressman ANTHONY BROWN and Congresswoman JACKIE SPEIER, amongst others, we are looking at how the UCMJ is implemented. Is it being implemented in a way that is fair and unbiased.

These are all efforts to create the diversity that we need within our Armed Forces and the diversity we need within our society.

Overall, I am very, very pleased with this product. And more than anything, I am pleased with the people who worked together to put it together in a bipartisan way.

There are a lot of diverse opinions, not just Republican and Democrat, but within each party. As Mr. THORNBERRY will attest, we are not all the same within our own parties. Even with that diversity, we were able to work together and produce what I think is an excellent product that we should all be proud to support.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON HOUSE ADMINISTRATION,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning R.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on House Administration.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on House Administration does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ZOE LOFGREN,
Chairperson.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ZOE LOFGREN,
Chairperson, Committee on House Administration,
House of Representatives, Washington, DC.

DEAR CHAIRPERSON LOFGREN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on House Administration has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on House Administration is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Agriculture.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Agriculture does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of the Committee on Agriculture to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

COLLIN C. PETERSON,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Agriculture has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Agriculture is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON APPROPRIATIONS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the rule X jurisdiction of the Committee on Appropriations.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Appropriations does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

NITA M. LOWEY,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. NITA LOWEY,
Chairwoman, Committee on Appropriations,
House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Appropriations has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Appropriations is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON THE BUDGET,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on the Budget.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on the Budget does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JOHN YARMUTH,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. JOHN YARMUTH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON ENERGY AND COMMERCE,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I write concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Energy and Commerce (Committee).

In recognition of the desire to expedite consideration of H.R. 6395, the Committee agrees to waive this Committee's right to sequential referral. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining concerns within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter in the committee report on H.R. 6395 and into the Congressional Record during floor consideration of the measure.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is

not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON EDUCATION AND LABOR,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning the bill H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Education and Labor.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Education and Labor does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ROBERT C. ''BOBBY'' SCOTT,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. BOBBY SCOTT,
Chairman, Committee on Education and Labor, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Education and Labor has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and Labor is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Foreign Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ELIOT L. ENGEL,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

HON. ELIOT L. ENGEL,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Financial Services.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of H.R. 6395, I am willing to waive this Committee's right to sequential referral and forego formal consideration of H.R. 6395 at this time. I do so with the understanding that by waiving consideration of the bill, the Committee on Financial Services does not waive any future jurisdictional claim over the subject matters contained in H.R. 6395 which fall within the Committee's Rule X jurisdiction. I also do so under the mutual understanding that the Committee on Financial Services will be appropriately consulted and involved as this or similar legislation moves forward. The Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving H.R. 6395, and I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the Committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House Floor. Thank you for the cooperative spirit in which you have worked regarding this matter between our respective committees.

Sincerely,

MAXINE WATERS,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. MAXINE WATERS,
Chairwoman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Homeland Security does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Homeland Security has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
HOUSE OF REPRESENTATIVES,
July 8, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I write in response to your staff's request, and concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. Certain provisions in the legislation fall within the jurisdiction of the Permanent Select Committee on Intelligence (the ''Committee''), as established by Rule X of the Rules of the House of Representatives for the 116th Congress.

In the interest of expediting floor consideration of this important bill, I am willing to waive the Committee's right to request a sequential referral. By doing so, the Committee docs not waive any future claim over subjects addressed in the bill which fall within the Committee's jurisdiction. I also request that you urge the Speaker to name members of the Committee to any conference committee on the bill.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ADAM B. SCHIFF,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ADAM B. SCHIFF,
Chairman, Permanent Select Committee on Intelligence,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC,

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Judiciary Committee.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Judiciary Committee does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JERROLD NADLER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON NATURAL RESOURCES,
HOUSE OF REPRESENTATIVES,
WASHINGTON, DC, JULY 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Natural Resources.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Natural Resources does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

RAÚL M. GRIJALVA,
Chairman,
Committee on Natural Resources.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIR: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON OVERSIGHT AND REFORM, HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Oversight and Reform.

In the interest of permitting your Committee to proceed expeditiously on this bill, I am willing to waive this Committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Oversight and Reform does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name Members of this Committee to any conference committee which is named to consider such provisions.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective Committees.

Sincerely,

CAROLYN B. MALONEY,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. CAROLYN B. MALONEY,
Chairwoman, Committee on Oversight and Reform, House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Oversight and Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON SMALL BUSINESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Small Business.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of

the bill, the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

NYDIA M. VELÁZQUEZ,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. NYDIA M. VELÁZQUEZ,
Chairwoman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Science, Space, and Technology.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Science, Space, and Technology does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

EDDIE BERNICE JOHNSON,
Chairwoman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. EDDIE BERNICE JOHNSON,
Chairwoman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I write to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In the interest of permitting your committee to proceed expeditiously to floor consideration, I am willing to waive this Committee's right to a sequential referral. I do so with the mutual understanding that by waiving consideration of the bill, the Committee on Transportation and Infrastructure does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I also request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter between our respective committees.

Sincerely,

PETER A. DEFAZIO,
Chair.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

COMMITTEE ON VETERANS' AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 6395 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

MARK TAKANO,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2020.

Hon. MARK TAKANO,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

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Mr. THORNBERRY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, first, I want to say, like all my colleagues, I mourn the passing of JOHN LEWIS. As someone said this weekend, he lived a consequential life and, I would add, one that we all admire.

Mr. Speaker, on the bill before us, I am very grateful for the kind words of Chairman SMITH, as well as for the generous amendment he offered in committee related to the name of this bill and also the very generous response of all Members on both sides of the aisle.

I will confess, Mr. Speaker, that all of this naming business makes me a

little uncomfortable because this bill is not about any of us. It is about the men and women who serve our Nation, their families, and American national security. As the chairman points out, that was the focus of this bill for 59 straight years. With his leadership and the leadership of Senator REED and Senator INHOFE, I am sure that it will be number 60.

Obviously, I do not agree with everything that is in the bill, but on balance, it is a good bill. In some particular areas, it is a very good bill. I want to highlight, for example, the family resiliency and readiness provisions, thanks to good work from Mr. KELLY and Ms. SPEIER.

I want to highlight a number of cyber and artificial intelligence provisions, thanks to the good work of Mr. LANGEVIN, Ms. STEFANIK, Mr. GALLAGHER, who chaired one of the committees we set up.

A number of provisions in this bill strengthen relationships with partners and allies, and among others who have worked on this are Mr. GALLEGO, Mr. CROW, Ms. CHENEY, and Mr. TURNER. There is a lot of very good substance in this bill.

Bringing it all together, I want to credit the leadership of the chairman, not only for assembling a bill of good substance, but for passing it by a vote of 56–0 and doing so in a very, very challenging time.

I join him in applauding the staff for not just the substance but the logistics, all that is required to bring this bill to us.

Finally, Mr. Speaker, I can't help but note that whenever there is a crisis in this country, we turn to the military, and we have seen that several times just within the past few months. So the thrust of this bill is to say, okay, if we are going to turn to the military in times of crisis, then we need to support them with the best training, the best equipment, the best support of all kinds that we can provide. Because they are there for us, we need to be there for them.

That is the thrust of this bill this year, as it has been in the past, and I believe it certainly deserves Members' support as we move forward.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 3½ minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the chairman of the Intelligence and Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. Mr. Speaker, I rise today in strong support of H.R. 6395, the National Defense Authorization Act for Fiscal Year 2021.

I want to begin by congratulating Chairman SMITH and Ranking Member THORNBERRY for the strong bipartisan bill, which was unanimously passed by the committee 56–0. I am particularly pleased with the provisions in our Intelligence and Emerging Threats and Capabilities portion of the bill.

My subcommittee's provisions reflect key national security interests and critical defense oversight areas, including intelligence, cyber, science and technology, and Special Operations Forces.

Mr. Speaker, I want to thank Ranking Member STEFANIK for her bipartisan cooperation, and I want to thank the other members of the subcommittee for their extraordinary input that make this mark so strong. Sound collaboration is what sets this committee apart as we maintain the now 60-year tradition of passing an annual defense authorization bill to support members of the military and provide for our national security. The ranking member, the vice chair, Mr. CROW, and my IETC colleagues exemplify this spirit.

I would also like to thank, of course, the staff, who without their input and work, this would not be possible. Committee staff Shannon, Josh, Jessica, Bess, Eric, Jason, and Caroline; my military legislative assistant, Caroline; and fellows Matt and Allison were instrumental in its development, and my legislative director, Nick.

Mr. Speaker, our subcommittee mark aligns intelligence and security capabilities to the National Defense Strategy, and I am particularly proud that it incorporates recommendations from two commissions comprising some of our Nation's most forward-thinking defense experts.

The National Security Commission on Artificial Intelligence's work will lay the foundation for the country's workforce, ethics, and security requirements as machine learning and artificial intelligence tools become more prevalent.

The Cyberspace Solarium Commission, which I had the pleasure to serve on with my colleague, Congressman GALLAGHER, who co-chaired the commission, has provided a strategic vision of layered cyber deterrence, and this bill includes nearly 20 recommendations to implement it.

This bill enriches the Department of Defense science and technology ecosystem. We add over $600 million in science and technology funding to confront rising science powers.

We restore $135 million to the cooperative threat reduction account, fixing a devastating cut in the President's budget.

We add over $1 billion in a pandemic preparedness and resilience national security fund.

Mr. Speaker, great power competition also is a race for talent. This bill diversifies the Department's workforce and emphasizes collaboration with historically Black colleges and universities and minority institutions. It will also protect foreign students at our great universities from being deported. It also ensures that Special Operations Forces remain the most talented, professional, agile, and ready force postured for high-end missions.

Finally, our bill funds the Navy's number one procurement priority, the Columbia-class submarine, and it restores funding for two Virginia-class boats, one of which had been cut by the President. I know what amazing capabilities these submarines provide because they are built in my district in Rhode Island by the hardworking men and women of Electric Boat, and I was proud to work with Chairman COURTNEY on these provisions.

Mr. Speaker, this bill demonstrates our commitment to national security while increasing oversight and reducing redundancy to ensure our taxpayer dollars are spent efficiently and effectively, and I urge my colleagues to support it.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TURNER), the ranking member of the Subcommittee on Strategic Forces.

Mr. TURNER. Mr. Speaker, I want to join Ranking Member THORNBERRY in noting the passing of JOHN LEWIS. His heroism and his eloquence challenged us all, and he will be sorely missed.

Mr. Speaker, I also want to begin by thanking Chairman ADAM SMITH. Our chairman reached out to the other side and said that he wanted to do a bipartisan bill. That sounds easy, but in this environment, it is not. It is highly substantive. It takes negotiation. It takes a lot more work than a partisan bill does. And he achieved that with a unanimous vote coming out of committee. That takes compromise, but this bill does not compromise at all for national security.

Mr. Speaker, I would like to recognize our ranking member, who will be retiring. I have served with him for 18 years. I have appreciated his mentorship, and I am very glad that this bill bears his name, in honor of his time here.

This bill also authorizes the administration's full request for the National Nuclear Security Administration. These funds are critical to ensuring our nuclear weapons enterprise remains safe, secure, and effective. We have put off this investment too long; we do not have any additional time.

Our nuclear forces are at work every day. They stand as a silent testament to deter our adversaries and to support our allies. Without our nuclear forces as a credible and silent deterrent, the world would be less safe.

This bill fully funds the ground-based strategic deterrent, the replacement for the Minuteman III. It is critical that Congress support this effort with this funding.

The bill also provides progress for Space Force, provides stability for the National Security Space Launch program, and makes investments in missile defense by funding two of the Missile Defense Agency's highest priorities, including the 10 SM–3 Block IIA and the eighth THAAD battery.

The NDAA will provide support to the people who defend our country. Our troops are receiving a 3 percent pay raise for the second year in a row. This

bill expands the rights of men and women in uniform and their families residing in military housing and provides more oversight over the private companies responsible for maintaining the health and safety of these homes.

This bill also provides remarkable strides in military justice. Over the last decade, we made great strides in military justice.

This bill also provides protection for sexual assault victims. They are gaining more rights on appeal, greater access to court records, and additional protection from retaliatory punishment.

I also want to thank Congressman ANTHONY BROWN for his work on advancing diversity and equality in our servicemember ranks. I was very proud to work with Congressman BROWN to advance concrete steps to promote diversity. This year's NDAA creates the position of chief diversity officer for DOD and establishes a diversity and inclusion advisory council. It creates more scholarship opportunities in historically Black colleges.

The NDAA enhances our national security and improves the lives of our servicemembers. I urge all of my colleagues to support it. Any cuts in funding to this bill would severely weaken our Nation at a time when we are facing some of our clearest threats.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COOPER), the chairman of the Strategic Forces Subcommittee.

Mr. COOPER. Mr. Speaker, I am proud today to speak on behalf of the Strategic Forces portion of the MAC THORNBERRY National Defense Authorization Act for Fiscal Year 2021.

Mr. Speaker, I would like to thank Ranking Member THORNBERRY for his outstanding 25 years of service in this Congress.

Mr. Speaker, I would also like to extend my thanks to Ranking Member TURNER and all of our subcommittee members for their contributions to the bill. Our subcommittee has particularly heavy, often technical responsibilities.

This bill does make America stronger and safer by improving the odds for peace and stability with regard to our nuclear forces, hypersonic weapons, and space and missile defense.

Preventing a nuclear attack is the first responsibility of the U.S. Government. It is absolutely imperative to ensure our nuclear forces are safe, secure, and reliable and that we strengthen our nonproliferation efforts. This mark ensures that the Departments of Defense and Energy are wisely spending their budgets in a responsible and efficient manner.

Regarding space, we continue our focus on protecting our space assets. The bill also focuses on near-term priorities for hypersonic weapons in a way that avoids increasing the risks of ambiguity and miscalculation.

We continue oversight in missile defense, including supporting U.S.-Israeli cooperation. In addition, after the failure of the redesigned kill vehicle program, the bill strengthens oversight of the next-generation interceptor program.

Mr. Speaker, before I close, I would like to thank our outstanding staff: Leonor Tomero, Jason Schmid, Maria Vastola, Grant Schneider, and Zach Taylor.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN), the distinguished ranking member of the Subcommittee on Readiness.

Mr. LAMBORN. Mr. Speaker, today, I rise in strong support of H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

Sun Tzu said that ''the art of war teaches us to rely not on the likelihood of the enemy's not coming, but on our own readiness to receive him; not on the chance of his not attacking, but rather on the fact that we have made our position unassailable.''

As reported out of committee, this NDAA funds essential military readiness to support the National Defense Strategy.

The legislation does a number of things. It makes significant investments in operations and maintenance and military construction; invests in essential capabilities to retain military overmatch, including cyber, space, hypersonics, ground-based strategic deterrent, and artificial intelligence; begins recapitalizing our surge sealift fleet; addresses shortfalls in refueling capacity; requires that DOD develop a long-term sustainment strategy; codifies the DOD Office of Economic Adjustment; improves energy and critical infrastructure resilience; requires responsible water use by installations; improves transparency regarding PFAS releases; authorizes National Guard access to DOD funds for PFAS remediation; and continues military housing so as to protect the families.

Mr. Speaker, I want to thank my friend and colleague, JOHN GARAMENDI, for his leadership on the Readiness Subcommittee, and Chairman SMITH and Ranking Member THORNBERRY for their leadership to get this to the floor. Representative THORNBERRY has left a strong mark on this Nation's national defense, and we appreciate his dedication. This legislation reflects the hard work of Members on both sides as well as the bipartisan staff.

Mr. Speaker, this morning, I voted against the rule. I did so because the Democratic leadership appears to be playing political games that could undermine all of this good work. One amendment would reduce the defense top line, if accepted, by 10 percent. By requiring the Department to fully fund all the personnel and medical accounts, all other accounts would have to decrease by 16 percent, more than twice the cuts imposed under sequestration. That would devastate readiness.

Rules also made in order include two massive land amendments affecting Colorado and Arizona and other States. These have nothing to do with national defense, and they are opposed by many citizens of those States.

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Using servicemembers and their families as pawns to support a partisan agenda is just wrong, so I truly hope this remains a bill that I can vote for after this debate.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), the chairman of the Seapower and Projection Forces Subcommittee.

Mr. COURTNEY. Mr. Speaker, Article I, Section 8 of the Constitution states: ''Congress shall have the power . . . to provide and maintain a Navy.'' The Seapower and Projection Force's Subcommittee mark in this year's 2021 NDAA rises to that constitutional duty with a coherent, workable shipbuilding plan and a Projection Force mark that ensures air and sealift forces are capable of fulfilling their mission.

It became abundantly clear when the administration sent over its 2021 budget that we were facing daunting challenges in our subcommittee's jurisdiction. Airlift and sealift were underresourced; the Navy shipbuilding budget was cut by 17 percent from last year; the request for new ships as verified by the Congressional Research Service was seven, the lowest since 2009; and the statutory requirement for the Department of Defense to submit a 30-year shipbuilding plan was, and continues to be, brazenly ignored.

Our mark corrects these hits to our shipbuilding industrial base and is aligned to the Navy's actual requested priorities that were not included in February's budget. This includes nine ships, including the first Columbia-class ballistic submarine, two Arleigh Burke destroyers, and two Virginia-class submarines, to name a few.

I want to foot-stomp that the mark reverses one of the most compounding elements of the administration's budget: the elimination of a Virginia-class submarine, which would disrupt the two-a-year build rate for the first time in a decade that Congress has diligently sustained.

We have heard Navy officials confirm that there is industrial base capacity to support a second sub in 2021, and that platform is their number one unfunded priority. Its production represents the most cost-effective way to mitigate our declining submarine fleet.

Even more importantly, we heard from combatant commands in the Pacific and Atlantic about the need to stop that decline and retain our undersea superiority as the most effective deterrent to keep the peace. We fixed that flaw in our work, and we did it underneath the bipartisan budget caps.

Mr. Speaker, all of this was accomplished with teamwork, and I want to thank my friend and colleague, Ranking Member ROB WITTMAN, all of the subcommittee members, and our amazing staff: Phil MacNaughton, Dave

Sienicki, Kelly Goggin, and Sean Falvey. And I also want to thank Lieutenant Commander Cam Massey, our Navy fellow in our office, who was instrumental in getting this fine product.

I urge passage of the Thornberry NDAA.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. WITTMAN. Mr. Speaker, I thank the ranking member for yielding.

In committee, we went through over 600 amendments and 12 hours of debate to arrive at this point, and we definitely had our share of differences along the way; but, in the end, we were able to come together to arrive at a very good bipartisan bill.

But this floor debate is quite different. The majority has elected to add several nongermane bills to the NDAA at Rules that have nothing to do with defense. And perhaps even more problematic, these bills are partisan and have been recommended that they be vetoed by the President if they were to pass alone. So the majority has decided to tack it on to a must-pass piece of legislation.

We should not use our servicemembers as a tool to achieve a partisan agenda. I voted in opposition to the rule, and I hope that I can vote for final passage of the MAC THORNBERRY National Defense Authorization Act.

I do, though, want to highlight three areas of note that accelerate our national security in the Seapower and Projection Forces Subcommittee. In the undersea warfare, we made the biggest move in the bill by authorizing a second Virginia-class submarine.

It is imperative that we move to accelerate the entirety of the undersea capabilities and say to potential aggressors: Today is not your day. Dissuading aggressor nations is the cornerstone of peace upon which our national security and our collective economy rest.

Another area that I take great pride in supporting is the continued investment in our surge sealift. The authorization of four additional sealift vessels and a new tanker security program are essential elements to getting the Army and Marine Corps to distant shores.

Finally, we continue strong oversight of our existing resources in limiting funds for a deficient KC–46A tanker and a promising but unproven unmanned surface vessel fleet.

Before I conclude, I want to specifically thank Chairman COURTNEY and his team, who led a strong bipartisan mark. Chairman COURTNEY has been tremendous and is a fantastic Seapower Projection Forces chairman, and I look forward to continuing to work with him to deliver the Seapower Projection Forces our Nation needs. He is, indeed, the example of a servant leader and one that works in a bipartisan manner.

My friends, this is a good bill that, in its current form, is worthy of support. I look forward to saying that I was part of passing the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER), the chair of the Subcommittee on Military Personnel.

Ms. SPEIER. Mr. Speaker, I thank the chair for yielding and for his outstanding leadership and to Ranking Member THORNBERRY for an outstanding job over his 25 years.

I am proud to speak in support of this bipartisan bill that was passed unanimously out of committee. The subcommittee accepted 111 total amendments: 37 from the Republicans and 74 from the Democrats.

I would like to thank Ranking Member KELLY, whom I enjoyed working with, and the other members of the committee and the herculean work from our staff: Craig, Dave, Hannah, Glenn, Danielle, and from my personal staff, Josh, Yanna, Brian, and Luke.

This bill continues the committee's tradition of improving the lives of servicemembers and their families by authorizing a 3 percent pay raise, requiring standardization and significant improvements to the Exceptional Family Member Program, expanding 24-hour childcare availability and addressing provider shortages, improving sexual assault and intimate-partner violence prevention and response, and delaying the Department's plan to cut the military health system to ensure they are able to respond to future pandemics.

Americans are finally confronting the injustice of systemic racism, and this bill initiates monumental changes in the military by creating a DOD chief diversity officer; establishing a diversity and inclusion council; and requiring the services to establish goals for increasing representation of servicemembers who are women and persons of color up the ranks, stripping personally identifiable information at promotion boards to improve fairness, creating a special inspector general for racial and ethnic disparities to review discrepancies in the military justice and personnel systems, and to investigate white supremacist activities and adding a violent extremism article to the Uniform Code of Military Justice.

It also better protects our servicemembers from sexual and domestic violence by creating a sexual assault prosecution pilot program at the service academies, a system of military court protective orders, and a military-civilian task force on domestic violence.

Mr. Speaker, as I have visited bases throughout the country, I have told our servicemembers and their families what our credo is on the committee: When the servicemember serves, so does his or her family. We have made good on that promise in this bill. We owe it to our brave servicemembers.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), the distinguished ranking member of the Subcommittee on Tactical Air and Land Forces.

Mrs. HARTZLER. Mr. Speaker, I rise in support of H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. I am proud it passed unanimously out of committee, and I am grateful it bears the name of a public servant who has fought tirelessly for our men and women in uniform and whose steady, wise leadership has made such a difference. This legislation is a fitting tribute to his enduring legacy.

As the ranking member of the Tactical Air and Land Forces Subcommittee, I thank our subcommittee chairman, DONALD NORCROSS, for his strong spirit of bipartisanship. I would also like to thank the subcommittee staff—Jesse Tolleson; Bill Sutey; Heath Bope; Carla Zeppieri; Liz Griffin; and Caroline Kehrli; my personal military legislative director, Chrissi Lee; and Tom Spellman, my military fellow—for their hard work on this legislation.

Within the subcommittee's jurisdiction, this bill recommends authorization of over $118 billion in needed modernization funding required for our competitive advantage against strategic peer competitors such as Russia and China.

For example, the bill rightfully supports the appropriate mix of fourth- and fifth-generation strike fighters by authorizing funding for 79 F–35 Joint Strike Fighters, 12 F–15EX aircraft, and 24 F/A–18 Super Hornets, including additional funding for advanced procurement to help mitigate current Navy strike shortfalls.

The bill authorizes the necessary funding to support the Army's big six modernization priorities to include long-range precision fires and future vertical lift, all of which are critical in support of the national defense strategy and for credible deterrence.

I am pleased the bill also requires more detailed certifications and justification for decisions relating to retiring critical airborne ISR platforms without a suitable replacement to better manage operational risk to the warfighter.

Outside the subcommittee's jurisdiction, I am pleased this bill includes language directing the Department to develop a strategy for the use of chaplains and nonprofit post-traumatic growth organizations as a behavioral healthcare option for our servicemembers and also report analyzing the risk to U.S. servicemembers due to the dependence on China for our troops' pharmaceutical needs.

The NDAA has always been and should continue to be a product of bipartisan consensus. Putting our troops first and providing them with the resources, equipment, training, and support they need should always be our top priority as Members of Congress.

This is why I have concerns and would oppose any amendment that would effectively cut the defense budget by 10 percent. A cut this size equates to approximately $73 billion, almost twice that of the fiscal year 2013 sequester.

We have worked hard over the past several years to repair the damage from sequestration. Now is not the time to go backwards.

Mr. Speaker, I urge support of this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. NORCROSS), the chair of the Tactical Air and Land Forces Subcommittee.

Mr. NORCROSS. Mr. Speaker, I thank the chairman for yielding and certainly for his leadership in bringing this bill to the floor and to the ranking member, MAC THORNBERRY, for his years of service to this country. We certainly appreciate it.

This bill continues the Tactical Air and Land Forces Subcommittee's long tradition of bipartisan work to make America's land and air forces the best in the world.

Despite challenges imposed upon us during this COVID crisis, this bill is the result of the hard work under very unusual and demanding circumstances. I thank the members of our committee, certainly our staffs and all of them for their hard work in these challenging times.

I also thank the ranking member, Mrs. HARTZLER, for her leadership and her contributions and certainly working as a bipartisan committee. Our cooperation kept us focused on what truly is important. We have delivered a defense bill that meets the modernization readiness needs of our Nation.

This bill carefully manages our military resources while increasing needed oversight of DOD programs. The bill specifically includes aggressive oversight of the strike fighter aircraft programs, including the F–35, the most expensive program ever attempted by the Department; the Department's development, sustainment, management of manned and unmanned intelligence surveillance and reconnaissance aircraft; and continued oversight of the Army's new modernization strategy with respect to Army aviation, including the Chinook helicopter, combat and tactical vehicles, air and missile defense, the network and soldier lethality.

This defense bill also includes what I believe is one of the more important issues: Buy American provisions, which show we are truly serious about building things here in the U.S. and supporting American workers. I also worked to ensure that the executive branch cannot strip the collective bargaining rights of our vital citizen defense workforce.

I am proud of the hard work this committee has done to serve America's national security interests in this great bill. It deserves our support, and I urge all my colleagues to vote ''yes.''

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. STEFANIK), the distinguished ranking member of the Subcommittee on Intelligence and Emerging Threats and Capabilities.

Ms. STEFANIK. Mr. Speaker, I thank Ranking Member THORNBERRY for yielding.

I want to start by thanking my subcommittee chair, Mr. LANGEVIN, who is a wonderful colleague to work with. I also thank both of our staffs for the hard work.

As the ranking member on the Subcommittee on Intelligence and Emerging Threats and Capabilities, I would like to highlight the key themes that will ensure the U.S. retains our competitive edge in the future.

First, this bill places special emphasis on basic research and the important contributions that our science and technology ecosystem, including our universities, the DOD labs, and DARPA, provide to our collective national defense, including our pandemic preparedness and response.

This bill also restores a critical social science research program that has provided foundational insights into violent extremism, great power competition, and foreign information operations campaigns.

In sum, this bill provides an additional $600 million for science and technology investments in critical emerging fields, including AI, autonomous systems, and biotechnology.

□ 1415

Two years ago, I introduced legislation in the NDAA that created the National Security Commission on AI, with the purpose of accelerating and advancing the development of AI across the Federal Government.

Mr. Speaker, I applaud the Commission for their work on this important issue, and I am honored that this bill included 18 of those recommendations. The adoption of these recommendations demonstrates how important AI is and how urgently it must be integrated into not only our weapons systems, but our healthcare, our predictive maintenance efforts, our humanitarian assistance missions, and our cybersecurity.

Our ability to apply AI and other emerging technologies faster than our adversaries will allow us to maintain our competitive edge over Russia and China and prepare our citizens for an AI-enabled future.

Secondly, this bill extends and expands the opportunities for our Special Operations Forces to partner with foreign forces, build critical relationships, and more effectively counter the malign influences of Russia and China.

Furthermore, this bill also increases our investment in the programs that provide care and support for the families of our special operators that have been so critical to our counterterrorism operations over the last 19 years.

Most importantly, as a proud representative of the soldiers and families of Fort Drum and 10th Mountain Division, this bill will invest in the technology and training necessary to ensure the safety and security of the men and women sent into harm's way.

This bill supports our force protection and military intelligence capabilities to ensure our servicemembers have the tools they need to mitigate hostile actions while they continue their important missions abroad.

As a representative of the most deployed division in the United States Army, currently serving in Afghanistan, my number one priority is force protection and the safety of the brave men and women called into action to protect our national interests.

That said, I am very concerned with any amendments that would slash the defense budget, impact our force protection, or degrade our investment in new technologies. A $73 billion cut to the defense budget would cause irreparable harm to our military and our readiness and would decimate the very programs that keep our servicemembers safe.

Mr. Speaker, I want to close by thanking Ranking Member THORNBERRY for his leadership and guidance not only this year, but his many years of truly exemplary leadership.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. GOLDEN), a member of the committee.

Mr. GOLDEN. Mr. Speaker, I thank Chairman SMITH for yielding.

I want to take a moment to talk about an amendment coming forward today having to do with the Servicemembers Civil Relief Act. I think it is particularly important.

Having deployed to Afghanistan and Iraq, I want to paint a picture for you.

Imagine running a nighttime patrol in the mountains of Afghanistan or on the streets of an Iraqi town. I am sure you can appreciate the intense pressure, the stress, the focus required to do the job right and avoid any mistake that could get you or your buddies killed.

Now imagine the patrol is finished. You have got 3 hours to sleep before you need to get up and stand guard for an hour, and after that, you will go on a convoy back to headquarters to get supplies to bring back to the company FOB.

But instead of getting rest, you hop on a satellite phone to make a business call to the United States, where it is 4 p.m., to explain to a company why they can't repossess the family car or foreclose on your house, because even though Congress has passed protections for servicemembers, the company insists you signed a waiver of your SCRA protections.

Congress shouldn't allow this to happen, Mr. Speaker. This amendment would end the use of arbitration clauses that trick servicemembers into signing away their rights under SCRA.

How ridiculous that this amendment is even necessary, but, sadly, it is. I

have seen it myself on deployments. It does happen. It has happened to the men and women I served with.

Congress should do something about this. These people are being put into stressful financial situations, and their families are, too, while they are serving our country and fighting for us.

Mr. Speaker, I urge my colleagues to support the amendment and to fight for it in conference with the Senate.

Mr. Speaker, in closing, I want to congratulate the ranking member on his many years of service to our servicemembers on the committee. I thank both the chair and ranking member for their leadership of the committee these past two NDAAs.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. KELLY), the distinguished ranking member of the Subcommittee on Military Personnel.

Mr. KELLY of Mississippi. Mr. Speaker, I first want to thank Chairwoman SPEIER for the hard work that we did together on the Military Personnel Subcommittee, Ranking Member THORNBERRY, who has provided leadership my entire time, and Chairman SMITH for the great job that they have done in passing a bipartisan bill out of committee.

I stand before you today in proud support of the bipartisan defense bill that we unanimously voted out of committee during the extraordinary circumstances of COVID–19. This bill does more for families and servicemembers than any that come to my mind. It is a huge step forward, but there is still work to do.

However, I am concerned with the many amendments that would impose across-the-board budget cuts that may affect programs that support our military families. I am also concerned with the potential size of this cut, which, by my understanding, would be about $73 billion, more than twice the impact of the fiscal year 2013 sequester.

The bill that was voted out of committee continues to support and improve the lives of those who sacrifice for our country on a daily basis by authorizing a military basic pay raise of 3 percent.

This bill reinforces the committee's longstanding commitment to the military family by requiring the Department of Defense to redefine military family readiness and military family resiliency, and it provides for significant reforms to the Exceptional Family Member Program.

This bill addresses the COVID–19 pandemic by requiring the military to assess the diagnostic equipment, testing capabilities, personal protective equipment, and treatment capabilities of the Armed Forces. It also requires the National Security Strategy to include the drugs, vaccines, and other critical medical equipment that will ensure combat readiness and lethality by safeguarding the health of our Armed Forces.

Mr. Speaker, I want to again thank Chairwoman SPEIER, because this bill will continue to support our servicemembers and retain their families.

Mr. Speaker, this is an outstanding bipartisan bill dedicated to our servicemembers, military families, and retirees, and it gives them the care and support they need, deserve, and have earned.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ROGERS), the distinguished ranking member of the Committee on Homeland Security.

Mr. ROGERS of Alabama. Mr. Speaker, I thank Ranking Member THORNBERRY and Chairman SMITH for their leadership in bringing this bill to the floor in such a bipartisan manner.

I am pleased the bill includes several provisions to support the Space Force and prioritizes the hypersonic and ballistic missile tracking space sensor.

While there is still much work to do, this bill takes important steps forward to confront China with the Indo-Pacific Deterrence Initiative.

It also includes almost $600 million above the President's budget for science and technology and investments in critical emerging technology areas.

These critical investments are what will enable us to confront sophisticated threats that we face from China and Russia.

Importantly, this bill adheres to the budget agreement and fully funds the President's budget request.

Now, more than ever, we must reject calls for blunt defense cuts from partisans who are using the current crisis as an opportunity to push their agenda.

Finally, Mr. Speaker, I want to thank my friend and colleague, MAC THORNBERRY, for his years of service to the Armed Services Committee. No one cares more about our men and women in uniform and has dedicated more time and effort to making sure they have what they need.

Our committee was lucky to have him as chairman for 4 years and ranking member for 2 years, and we wish him and his wife, Sally, nothing but the best in the future.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GALLAGHER), a distinguished member of our committee.

Mr. GALLAGHER. Mr. Speaker, I thank the ranking member not only for yielding, but for his leadership and setting an example of just being one of the most thoughtful legislators that I have ever witnessed, and so I thank him for his mentorship and his leadership.

I am very proud to support this bill, which includes many of the critical recommendations of the Cyberspace Solarium Commission, which I have had the privilege of co-chairing over the past year with my good friend Senator ANGUS KING, and serving alongside my distinguished colleague and IETC Subcommittee Chairman JIM LANGEVIN, who has forgotten more about cybersecurity than most of us, certainly myself, will ever know in our lifetime, and so his leadership has been incredible.

Early on in the Commission's work, we recognized that one of our greatest challenges would be navigating through the many committees of jurisdiction, and it is precisely because of that challenge that I am especially proud that we were able to work across party and jurisdictional lines to get many of our key recommendations either in the underlying text or in a bipartisan amendment.

I know over the course of the day, Congress will be advancing even more of the Commission's recommendations, such as strengthening the Cybersecurity and Infrastructure Security Agency, establishing a national cyber director, establishing a joint planning office to coordinate cyber planning and readiness.

Mr. Speaker, I just want to thank the committee chairman as well for working with us and the rest of the Cyberspace Solarium Commission. A great deal of effort went into our work. We had more than 50 legislative proposals. I am greatly thankful for his help and everyone's help, and especially Representative LANGEVIN, in getting the work of the committee across the finish line.

There is no shortage of work left to be done to better secure us in cyberspace, but today we are taking a number of very, very important steps.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS), a member of our committee.

Mr. BANKS. Mr. Speaker, I thank the ranking member for yielding, and I want to congratulate him on a tremendous record of service to our Nation and to our men and women in uniform. It seems fitting that this piece of legislation would be named after him.

It should be no secret to anyone in this Congress about the threat that the Chinese Communist Party poses to Unites States national security interests and to the freedoms and values that Americans enjoy.

President Trump demonstrated tremendous leadership by preparing the Nation for a new era of great power competition with the 2017 National Security Strategy. This year's NDAA upholds the ideals of the National Security Strategy more than ever and asserts U.S. leadership in the face of CCP aggression domestically and around the world.

It is well documented that the Chinese Government's mismanagement of the novel coronavirus spread the virus worldwide; that the Chinese Government is engaging in human rights

abuses towards ethnic populations in China and politically suppressing voices in Hong Kong; that the Chinese Government has a strategy to consolidate manufacturing supply chains that hit all aspects of the U.S. economy; and that the Chinese Government is seeking to dominate next-generation communication hardware, steal United States technology and research, and censor the real truth about the Chinese Community Party's intentions and actions that run counter to American values of freedom and democracy. This defense bill takes several positive steps on China that both Republicans and Democrats support.

The base bill includes funding for an initiative for the Indo-Pacific to deter China, similar to the European Deterrence Initiative to deter Russia.

The bill also increases funding in emergent technologies, such as artificial intelligence, to maintain a technical edge against China, and starts taking financial actions to reduce China's role at the World Bank.

However, there is a lot more that needs to be done, and there were a number of amendments that were offered that were ultimately not ruled in order for consideration that would have helped American competitiveness and safeguarded U.S. interests against the threat of China. I won't name all these amendments because there are many of them.

It is imperative that we pass this bill and counter the China threat.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Ms. CHENEY), the distinguished chair of the Republican Conference, who is also a member of our committee.

Ms. CHENEY. Mr. Speaker, I thank in particular Ranking Member THORNBERRY and Chairman SMITH for their work on this NDAA.

I rise in strong support, Mr. Speaker, of this bipartisan William M. (Mac) Thornberry National Defense Authorization Act. A strong bipartisan act such as this one is more important today than perhaps ever before.

As we are facing competition with our adversaries in emerging, contested domains, we have to develop cutting-edge capabilities in space, cyberspace, air, land, and sea, and we must do this at a time, Mr. Speaker, when a global pandemic continues to take lives and devastate economies around the world.

This NDAA, Mr. Speaker, recognizes the role that America has played in ensuring peace, prosperity, and freedom around the world for 75 years. It recognizes that our forward deployed forces are fundamental to deterring aggression and forestalling conflict. It recognizes that retrenchment and withdrawal are destabilizing and aid America's adversaries.

Through its provisions, Mr. Speaker, this NDAA underscores that America faces a fundamental choice: We either continue to lead, including through forward deployed forces in places like Germany, Eastern Europe, and South Korea, or we retreat, thus ensuring that the global rules of the road will be set not by us and other free nations, but by our adversaries, including China and Russia.

This bill enhances cooperation with critical allies in the Indo-Pacific, authorizes funding to counter China, and fully funds the European Deterrence Initiative to enhance deterrence against Russia. It also fully funds nuclear modernization to ensure the safety and reliability of our nuclear stockpile and the credibility of our nuclear deterrent.

Mr. Speaker, I urge my colleagues today to ensure that this legislation passes the floor in the same bipartisan fashion in which it passed committee, staying true to the spirit of the Member after which it is named.

□ 1430

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank the chairman, Mr. SMITH, for yielding. I thank Mr. THORNBERRY, the ranking member, for his efforts and partnership in bringing this bill to the floor in a bipartisan fashion.

I join the previous speaker in the premise that she posited with respect to forward-leaning, ready and able to engage and to participate as leaders of the free world in securing the benefits of freedom and liberty to our globe.

I want to thank Chairman SMITH and the Armed Services Committee for ensuring a fair and bipartisan process as the House worked to craft a defense authorization bill that strengthens our national security and reflects our Nation's highest principles.

I want to thank, as I said, MAC THORNBERRY and Chairman SMITH, who have worked together throughout this process.

I know that Democrats and Republicans on the committee and, indeed, in this House share a strong determination to do right by our troops and those they serve.

Let me also thank Chairman MCGOVERN and the Rules Committee for working to ensure that this bill comes to the floor under a process that allows for Members to offer amendments they feel will make our national defense stronger, while making certain that our defense policies reflect the best of America and helps address our long-term challenges.

We consider this bill in a challenging environment. COVID–19 has attacked our people, our economy, and our country in a way unknown to any Member who serves in this body today. None of us are old enough to remember, of course, the Spanish flu, but we know that it did not have the same consequences in America that COVID–19 has had. It is a reminder that we are afflicted, not only by those who would cause us harm through armed might, but also through illness, climate change, and other natural disasters.

I regret that we were unable to include every item the Democrats supported as part of the compromise that will enable us to get this bill passed. But, of course, that is what a compromise is.

It is unfortunate that we could not take up an amendment rejecting the Trump administration ban on transgender Americans serving in our military. As John McCain once said so correctly: I don't care whether they are straight; I just care that they can shoot straight.

We look at conduct and character, not differences that are not relevant to our ability to respond and to serve. Ending that ban will continue to be a priority for House Democrats.

While not all amendments that were proposed will end up becoming part of the final bill we vote on, in their offering, Mr. Speaker, they played an important role in shaping the House's legislation and will surely continue to add to important policy discussions that we need to have in our country.

One observation I would make, Mr. Speaker, is that one of the aspects of COVID–19's assault on our country has been to have a somewhat attenuated debate and discussion. I have discussed with Mr. SMITH and Mr. THORNBERRY on numerous occasions the need to have a very deep dive into the fiscal viability of our defense budget, as well as our domestic budget, so that we can ensure, in the future, that operations, training, and acquisitions do not suffer because of the lack of resources.

I am hopeful that the final bill we vote on tomorrow and send to the Senate will reflect a positive vision for our Nation's national defense and that it can pass with bipartisan support. I urge my Members to support it.

Our national security challenges are many, and they are serious. That is why the Democratic-led House will continue to do its job responsibly and to work bipartisanly to ensure that our Nation is kept safe and that those who serve on the front lines in its defense have all the resources they need to carry out their missions safely and effectively.

Again, Mr. Speaker, I thank Chairman SMITH and the ranking member and all those who worked hard, including the committee staff who worked long hours under very stressful and unprecedented circumstances.

I urge, in closing, Mr. Speaker, all Members to support this legislation.

Mr. THORNBERRY. Mr. Speaker, I presume the chair has no further speakers and, therefore, I yield myself the balance of my time.

Mr. Speaker, I want to, again, thank each and every one of the members of the House Armed Services Committee. Every one of them, Republican, Democrat, those of us who have been there a

while, those who are new to the committee, have contributed to this product.

As the chairman and I were saying, the dedicated professionals who work on the committee staff have done an outstanding job, especially, I think, under these conditions this year.

I also want to thank my personal office, which has contributed in many ways to this whole effort. This has been all-hands-on-deck sort of work, and I appreciate their work as well.

Finally, Mr. Speaker, I want to emphasize the importance of maintaining the bipartisan approach by which this bill came out of committee; 56–0 is not easy, and it is the chairman's leadership that enabled it to be so.

Now, we have some work to do. We have some amendments to go through. If some of those amendments pass, it would be very hard to maintain that approach going through. But assuming we can maintain this bipartisan approach, where nobody gets everything they want, but there is enough there and a higher purpose that holds us together so that it can come out of this House on final passage tomorrow with a similar or roughly similar vote, I think that will be very important.

It will be very important for the men and women who are serving our Nation all around the world to see that Republicans and Democrats can fight about taxes and healthcare and other things, but they can come together when it comes time to support them.

For all those military families who have been disrupted with their moves during COVID and are undergoing all sorts of inconveniences and hardships, it is very important for them to see that Republicans and Democrats can come together in Congress to support them and to advance their interests.

For allies and adversaries around the world, they need to see that, yes, we will argue with each other, and we will have a variety of differences, but when it comes to American national security, we stand together. I think if we can do that, that message alone is more important than any of the particulars of this bill.

Standing together for American national security, for the men and women who serve and their families, that is the most important thing we can do. I hope and trust that will be the result come tomorrow.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time.

Again, I urge Members to support this bill. I want to emphasize a point that a number of folks have made about the process, which sounds a little bland and a little bit dry, but that is actually how we produce such an excellent product, and I think it is a good model for how Congress should function.

We debate issues. We take amendments from a wide and diverse group of people, and in so doing, the product gets better. We get the ideas, the benefit of the talents and the experience of everybody in Congress.

We work it out where we can. We debate where we can't. Then, we vote, and we move the process forward.

I think it is really, really important that the institution continues to function in that way. A number of institutions in our country, many that we have taken for granted for a long time, are under an enormous amount of pressure. It is very important to have coherent stability in the institutions of government.

That is something that I know Mr. THORNBERRY prioritized during his service on the committee. It is something we all prioritize, to show people, as MAC pointed out, the system works—yes, the men and women who serve in our military, clearly, but everybody.

It is a good thing when we get together and have these debates and create a legislative product, and I urge Members to support this product.

In closing, I want to emphasize one point that has come up a number of times, and that is the importance of alliances and partnerships to our national security and to what the Department of Defense does. This bill has a number of provisions to strengthen that: support for NATO; support for our relationship with South Korea; support for the creation of an Indo-Pacific defense initiative, which is building upon the idea that we did with the European Defense Initiative. The goal there is to build the partnerships necessary to maintain our national security interests globally and, hopefully, without having to rely on the military.

I know a number of my colleagues on this side of the aisle are concerned about how the U.S. has used its military over the years, and I don't disagree with that. The military should not be the first or primary tool of U.S. foreign policy and national security. But if that is to be the case, we need to build the partner capacity of allies throughout Europe and Asia.

That is what this bill, I believe, reflects, that desire to give us peace by deterring our adversaries through a system of interlocking alliances. I think that is incredibly important.

Before I close, I do want to address the issues. Concerns have been raised about some of the amendments.

One particular concern is that there are some amendments that aren't necessarily within our jurisdiction. As the one bill that passes every year, this is not an unusual occurrence. I will point out that even when the Republicans were in the majority, we frequently had amendments that were outside the jurisdiction of our committee, including in the lands area.

Who can forget the lesser prairie chicken and the years after years that we fought over that? That, too, is part of this process, and I hope, however that comes out, it will not, in any way, undermine the incredible bipartisan work that has been done on the bill and, gosh, the nearly 1,500 provisions that will be reflected in that bill once we get done here.

I think whatever disagreements there may be on a few amendments coming forward, the best thing that we can do for this institution, for this committee, for the way the legislative process is supposed to work, and, as all of us have said, most importantly, for the men and women who are serving in our military, we show them that we support the defense bill. We support them. We support what they do.

We have worked together to produce an excellent product that is worthy of the support of every Member of this body. I urge everyone to vote ''yes.''

Again, I thank everyone who was involved in the process.

Lastly, I want to close by joining my colleagues in recognizing the life of JOHN LEWIS. He brought honor to this country. He lived a life that made us all feel better about where we live.

I think the thing that I will always remember about JOHN is, gosh, he lived a very tough life. He took on tough fights, but he did it with joy. You never saw JOHN LEWIS get really down. He always had this joy about him, even in the face of some unbelievable injustice.

He did not hate his enemies. He didn't attack them. He stood up for what was right.

I hope we can all learn from that lesson and build upon it, bringing this country together and deal with the challenges that we face now as he dealt with the challenges that he faced during his life.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Each further amendment printed in House Report 116–457 not earlier considered as part of amendments en bloc pursuant to section 3 of House Resolution 1053, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in House Report 116–457, not earlier disposed of.

Amendments en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands that amendments Nos. 1 and 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MS. ESCOBAR

The SPEAKER pro tempore. It is now in order to consider amendment No. 3 printed in House Report 116–457.

Ms. ESCOBAR. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, insert the following:

SEC. 10___. CURTAILING INSURRECTION ACT VIOLATIONS OF INDIVIDUALS' LIBERTIES.

(a) FEDERAL AID FOR STATE GOVERNMENTS.—Section 251 of title 10, United States Code, is amended—

(1) by striking ''Whenever'' and inserting ''(a) IN GENERAL.—Whenever''; and

(2) by adding at the end the following new subsection:

''(b) CERTIFICATION TO CONGRESS.—(1) The President may not invoke the authority under this section unless the President and the Secretary of Defense certify to Congress that the State concerned is unable or unwilling to suppress an insurrection described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating the invocation of the authority under this section.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such insurrection, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(b) USE OF MILITIA AND ARMED FORCES TO ENFORCE FEDERAL AUTHORITY.—Section 252 of title 10, United States Code, is amended to read as follows:

''§ 252. Use of militia and armed forces to enforce Federal authority

''(a) AUTHORITY.—Whenever unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State by the ordinary course of judicial proceedings, the President may call into Federal service such of the militia of any State, and use such of the armed forces, as the President considers necessary to enforce those laws or to suppress the rebellion.

''(b) CERTIFICATION TO CONGRESS.—(1) The President may not invoke the authority under this section unless the President and the Secretary of Defense certify to Congress that the State concerned is unable or unwilling to suppress an unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating the invocation of the authority under this section.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(c) INTERFERENCE WITH STATE AND FEDERAL LAW.—Section 253 of title 10, United States Code, is amended—

(1) by striking ''The President'' and inserting ''(a) AUTHORITY.—(1) The President'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking ''In any situation covered by clause (1),'' and inserting ''(2) In any situation covered by paragraph (1)(A),''; and

(4) by adding at the end the following new subsection:

''(b) CERTIFICATION TO CONGRESS.—(1) The President may not invoke the authority under this section unless the President and the Secretary of Defense certify to Congress that the State concerned is unable or unwilling to suppress an insurrection, domestic violence, unlawful combination, or conspiracy, as described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating the invocation of the authority under this section.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such insurrection, domestic violence, unlawful combination, or conspiracy, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(d) CONSULTATION WITH CONGRESS.—

(1) IN GENERAL.—Chapter 13 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 256. Consultation

''The President, in every possible instance, shall consult with Congress before invoking the authority under section 251, 252, or 253 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 13 of title 10, United States Code, is amended by adding at the end the following new item:

''256. Consultation.''.

(e) RESTRICTION ON DIRECT PARTICIPATION BY MILITARY PERSONNEL.—

(1) IN GENERAL.—Such chapter is further amended by adding at the end the following new section:

''§ 257. Restriction on direct participation by military personnel

''(a) IN GENERAL.—No activity under this chapter shall permit direct participation by a member of the Army, Navy, Air Force, Marine Corps, or Space Force in a search, seizure, arrest, or other similar activity unless participation in such activity by such member is otherwise expressly authorized by law.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as may be necessary to ensure compliance with subsection (a).

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit authority of law enforcement personnel of the armed forces on Federal military installations''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by adding at the end the following new item:

''257. Restriction on direct participation by military personnel.''.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentlewoman from Texas (Ms. ESCOBAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1445

Ms. ESCOBAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for over 200 years, Presidents have had the authority to send the military into American communities at times of unrest.

The Insurrection Act is a power many Americans are unaware of primarily because it has historically rarely been invoked. It has, at times, been used by Presidents at the request of State Governors, but during our Nation's tumultuous civil rights era, it was an authority used by Presidents Eisenhower, Kennedy, and Johnson against the wishes of Southern Governors.

Their use of the military in American communities helped protect the civil rights of African Americans at a time of deep national unrest. In fact, the Insurrection Act was used to protect Selma to Montgomery marchers in 1965, protection needed by the marchers after Bloody Sunday, where our beloved late colleague, JOHN LEWIS, was beaten and bloodied. This is an important Presidential power intended to restore peace and protect Americans.

My amendment does not seek to undermine or eliminate this authority. Instead, it is intended to bring about transparency and close a loophole.

America is founded in a Constitution that enshrines a system of separate but coequal branches of government. As such, Congress has a duty to evaluate for any Presidential power where consultation may be necessary and to provide oversight.

Today, if the President of the United States chooses to use military force abroad, the President would have to consult with Congress. Yet that same consultation is not required for use of military force on American soil. My amendment closes that loophole providing for consultation and oversight similar to what is currently required when the military is called on to engage overseas.

The NDAA is our annual opportunity and responsibility to evaluate and authorize defense activities. With this amendment to a centuries-old law, Congress and future Presidents can ensure that Insurrection Act authority, when used, is consistent with our history of preserving peace and civil rights in America.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment would be a major change to the Insurrection Act first invoked by Thomas Jefferson more than 200 years ago. Under this amendment, a President would not be able to act quickly and decisively in the event of riots that are not being controlled at the State or municipal

level. He would have to, along with the Secretary of Defense, certify certain findings to Congress and then consult with Congress.

This would hinder and delay needed action to preserve domestic peace. Any military personnel then deployed would have burdensome restrictions placed upon them that would make them less effective in controlling violence and riots.

It is ironic that we are considering this amendment on a day when we are honoring the life of Representative JOHN LEWIS, an icon in the civil rights movement whose passing I, too, mourn.

You see, Mr. Speaker, had this amendment been law during the 1950s and 1960s, the progress of civil rights in this country would have been stifled. By being forced to consult with Congress, Presidents Eisenhower, Kennedy, and Johnson could have been blocked by a Senate majority that at the time was preventing all progress on civil rights. It is a matter of history.

My Uncle Jim Lamborn was a Federal employee at Leavenworth Penitentiary in 1957 when he was deputized as a marshal and sent to Little Rock, Arkansas, with many others so Black children could go to integrated public schools. President Eisenhower had to oppose the Arkansas Governor and act unilaterally to make this happen. If Eisenhower had to oppose an obstructionist House or Senate also, it may have never happened.

So, looking at today's headlines, I would like to ask the sponsor of this amendment, in light of the violence and rioting in Seattle and Portland, which for whatever reasons are not being controlled by the mayors of those cities, would President Trump be justified to invoke the Insurrection Act as amended by this amendment?

Ms. ESCOBAR. Will the gentleman yield?

Mr. LAMBORN. I yield to the gentlewoman from Texas.

Ms. ESCOBAR. Mr. Speaker, this is not about when or whether a President utilizes the Insurrection Act. This is simply about consulting with Congress in the same way that we expect a President to consult with Congress.

Mr. LAMBORN. Reclaiming my time, Mr. Speaker, apparently the gentlewoman is not willing to answer this question. If she can't answer this question, then I don't think we have to take it seriously. I think it is a political gimmick.

Mr. Speaker, I reserve the balance of my time.

Ms. ESCOBAR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Jersey (Ms. SHERRILL).

Ms. SHERRILL. Mr. Speaker, Federal forces should only be deployed in the United States with the utmost transparency and only when it is absolutely necessary to protect our country and our citizens. What we are seeing in Portland and what we saw in Washington is deeply disturbing, and it is contrary to the values of a democratic society.

As a veteran, I am particularly concerned when it implicates our military. Congress has a responsibility to exercise oversight over the use of military force. Unfortunately, in recent months, we have seen threats of force against U.S. citizens without consulting Congress and without delineating the legal authorities under which the forces are operating.

The Insurrection Act has been used with great and important effect to integrate elementary schools and universities, suppress the Ku Klux Klan, and to protect the American people. This amendment does not prevent any President from employing the Insurrection Act should it become necessary, nor would it prevent the Insurrection Act from being used to protect Americans' civil rights in the future. It simply ensures that the Insurrection Act is used in keeping with centuries of precedent—as a last resort and with strong oversight by Congress.

Mr. Speaker, I urge my colleagues to support this amendment.

Mr. LAMBORN. Mr. Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. KELLY).

Mr. KELLY of Mississippi. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is dangerous. This same amendment, but in a lesser form not nearly as dangerous and not nearly as restrictive, was defeated in a bipartisan manner in committee. The reason that it was is because we are having a knee-jerk reaction to what we think the President might do—not what he did, but what we think he might do.

This is dangerous. I can tell you, Mr. Speaker, I come from a State where, had the Insurrection Act not been in effect when Eisenhower and Kennedy were Presidents, we would be in a different-looking Chamber today. They allowed the schools of Mississippi, Arkansas, and Alabama to be integrated. Those Presidents allowed, through the Insurrection Act, the Freedom Riders to go through the State of Mississippi with the National Guard.

But here we are with more restrictions. Not only do we want to put troops out there when we say it is okay—and I don't know who ''we'' is, but it doesn't need to be a ''we''—but we are going to further restrict the President, and we are going to tie the hands of those servicemembers whom we send in harm's way. It is dangerous. They can't search, and they can't participate.

Mr. Speaker, we need to defeat this amendment, and there needs to be a long discussion if we want to change that. But it doesn't need to be in this bill. This is a poison pill. Let's defeat this amendment.

Ms. ESCOBAR. Mr. Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. OMAR).

Ms. OMAR. Mr. Speaker, if a President decides to deploy troops domestically, the very least we can do as Congress is demand the same level of transparency that we expect when our troops are sent abroad.

It is true that the Insurrection Act was used to integrate Little Rock Central High School and the University of Mississippi. It is also true that it was used to crush slave revolts and labor organizing.

This amendment will go a long way towards helping inform Congress and the American people how a President intends to use the authority.

This is not an abstract conversation. When the President threatened to invoke the Insurrection Act recently, he was threatening my constituents and our constituents. Unmistakably, he was threatening people exercising their First Amendment rights.

There can be genuine emergencies when these powers are needed. We must protect against all possible abuses in situations where the emergencies do not exist.

Mr. LAMBORN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BERGMAN), who is a retired three-star general and Member of the House Armed Services Committee.

Mr. BERGMAN. Mr. Speaker, I oppose this amendment. It would require the President and the Secretary of Defense to certify to Congress with demonstrable evidence that a State is unwilling or unable to suppress civil unrest prior to invoking the Insurrection Act.

What is demonstrable evidence? How do we define that?

At that point, who knows how much time would go by before help is given to the city or State that needs it.

Also, the limitation placed on military personnel in this amendment is concerning. We are telling our military that, if you go in, then you either do nothing or you use extreme force. There is no in between.

Unfortunately, too many elected officials don't understand the difference between emergency response, peacekeeping, and peacemaking.

We are setting the military up for failure. This amendment is dangerous and unnecessary, not to mention the entire debate on the Insurrection Act is just another attack on the President. Because we don't like something the current President said—not even what he did, but something he said—we are going to punish not just this President, but every President after this and all the States that may need help in the future.

Mr. Speaker, I urge my colleagues to oppose this amendment.

Mr. LAMBORN. Mr. Speaker, I yield back the balance of my time.

Ms. ESCOBAR. Mr. Speaker, how much time do I have remaining.

The SPEAKER pro tempore. The gentlewoman has three-quarters of a minute remaining.

Ms. ESCOBAR. Mr. Speaker, I just want to frame this very simply. We are asking for the same transparency and

consultation when a President decides to use troops on American soil as when he decides to send troops abroad.

Mr. Speaker, I urge my colleagues to support this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentlewoman from Texas (Ms. ESCOBAR).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAMBORN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. MCADAMS

The SPEAKER pro tempore. It is now in order to consider amendment No. 4 printed in House Report 116–457.

Mr. MCADAMS. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle B of title XXXI the following new section:

SEC. 3121. PROHIBITION ON USE OF FUNDS FOR NUCLEAR WEAPONS TEST EXPLOSIONS.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021, or 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 this Act, may be obligated or expended to conduct or make preparations for any explosive nuclear weapons test that produces any yield.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to apply to nuclear stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentleman from Utah (Mr. MCADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. MCADAMS. Mr. Speaker, when Utahns learned about recent high-level meetings on resuming nuclear weapons testing, it rang alarm bells. Thousands of Utahns are still dealing with trauma inflicted by bombs exploded from decades past leaving a legacy of illness, suffering, and death. Why would we ever go down that path again?

For 24 straight years, the Department of Energy and DOD continue to certify the safety, security, and effectiveness of our nuclear weapons stockpile without the use of nuclear explosive testing. That was confirmed to still be the case at the end of June.

My amendment prohibits the use of funds to prepare for or conduct any explosive nuclear weapons test that produces any yield.

My amendment does nothing to interfere with our stockpile program. It allows for national security preparedness consistent with zero-yield standards. Nuclear clouds must never again threaten the health and safety of those living downwind.

Mr. Speaker, I urge adoption of this amendment, and I reserve the balance of my time.

□ 1500

Mr. THORNBERRY. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I rise in opposition to this amendment because this is another one of these unilateral disarmament movement provisions that come before this body every year.

Mr. Speaker, I would love to take a vote in this body to restrain China, to restrain Russia, to restrain North Korea, to actually restrain our adversaries. But instead of restraining our adversaries or enter into negotiations where we come to agreement, we give things up.

Mr. Speaker, in this, we are giving something up. There is a Presidential directive. This isn't even trying to undo law. There is a Presidential directive that President Clinton signed, and every President since him, that said that we will do very limited testing because we do testing of our stockpiles and experimental work to ensure the reliability and the fact that our nuclear weapon system is reliable and safe. We do so because our adversaries see that deterrent as a means to restrain them from their adventuresomeness across the globe.

But the other aspect—again, back to, ''I would like to restrain our adversaries''—right now, China and Russia are developing brand-new nuclear weapons. They are deploying hypersonic weapons. Russia has a new nuclear-powered cruise missile that can circle the globe and then come in.

But every year, when we bring the National Defense Authorization Act back, we are more focused on how we can restrain ourselves than restrain our adversaries. And that makes us less safe.

The way that this amendment is drafted actually doesn't allow us to continue to do what we are doing. It says zero-yield standard. We actually have subcritical testing that would exceed what you have in here that we do right now that is essential for what we do.

This is an amendment that is trying to solve a problem that doesn't exist.

Lisa Gordon-Hagerty just issued a letter, as you said, in June. We are not even going to do this, I mean, not the way you are worried about us doing it. We are not headed toward testing.

But if we pass your amendment, it is going to stop us from being able to do what we are currently doing. We are going to restrain ourselves in a way that our adversaries aren't, and we are going to be less safe.

Mr. MCADAMS. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. SMITH), the distinguished chair of the House Committee on Armed Services.

Mr. SMITH of Washington. Mr. Speaker, I fear this debate is going to come down to a difference of opinion on tax. My staff and I have looked at this very, very carefully. This does not restrict us from what we are currently doing, and it is the position of this sponsor and myself that we need to make sure our stockpile is safe and usable, and we have an adequate deterrent. We do not need to do live nuclear testing.

Mr. Speaker, the reason we are concerned about this is because the Senate has actually put $10 million into their version of this defense bill to do precisely that. So, there are some who apparently think this would be a good idea.

We want to make it clear: We don't think it is a good idea to do live nuclear testing. Keep doing what you are doing. That is fine. Collect your stockpile. We don't need to be setting off nuclear weapons again.

In this regard, what Russia and China are doing is beside the point. It is not in our best interest to do this. If they think it is in their best interests to do live testing, I would disagree with that.

This doesn't help protect us. It endangers people unnecessarily.

I know we are going to get into a debate over the actual language here, but be clear on what this amendment does.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCADAMS. Mr. Speaker, I yield the gentleman an additional 20 seconds.

Mr. SMITH of Washington. Mr. Speaker, this amendment allows us to continue doing what we are already doing to preserve and protect our nuclear deterrent. It simply says: You can't go setting off nuclear weapons again. It doesn't work. It doesn't help. And it is extraordinarily dangerous.

Mr. Speaker, I urge adoption of the amendment.

Mr. MCADAMS. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Speaker, we are living in very dangerous times.

Yes, we are in the midst of a global pandemic, which should be inspiring our Nation's leaders to deescalate tensions with other countries, work with world leaders to defeat this disease that threatens us all, but that is not what we are seeing. Instead, we are seeing increasing tensions and a new cold war being waged on two fronts between the U.S. and China and Russia, with thousands of nuclear missiles at the ready.

Instead of deescalating tensions, the Trump administration is making

things worse by tearing up the INF Treaty, ending the Open Skies Treaty, making no effort to renew the New START treaty, and dangerously moving to violate the nuclear test ban treaty, which, if allowed, would only encourage other countries like North Korea, Saudi Arabia, Iran, and many others to develop or to increase nuclear weapons capabilities, rapidly increasing the proliferation of these nuclear weapons and a nuclear arms race around the world.

Mr. Speaker, this puts us all at risk because there is only one outcome to this escalation of tensions and a nuclear arms race, and that is total destruction of our world.

Mr. Speaker, I urge my colleagues to support this critical amendment.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Wyoming (Ms. CHENEY).

Ms. CHENEY. Mr. Speaker, I rise in strong opposition to this amendment, which threatens to undermine the credibility of our Nation's nuclear deterrent.

Mr. Speaker, there is a consistency on the other side of the aisle which is very concerning. It finds a moral equivalence between the United States and our adversaries, also an affinity for treaties that bind only the United States and no one else.

Mr. Speaker, if this amendment becomes law, the United States loses the ability to ensure that we can test, if necessary, to ensure that our deterrent is reliable and, therefore, credible. That prohibition emboldens our adversaries, and it undermines our allies' faith in the nuclear umbrella.

We provide a nuclear umbrella. We provide security to allies so they do not have to develop their own nuclear weapons. So an amendment that ensures that the United States is no longer going to be able to guarantee a credible nuclear stockpile is going to make nuclear proliferation more likely, not less likely.

Mr. Speaker, this is a dangerous amendment, an amendment which ties the hands of the United States, when we know that the Chinese are, in fact, undergoing a huge nuclear buildup and likely testing. And we know that the Russians are doing the same.

Mr. Speaker, this is dangerous. There is absolutely no reason we need to do it. It contradicts a Clinton-era Presidential directive under which the NNSA must maintain readiness to resume underground nuclear testing, if necessary. This could be the case, for example, if our stockpile experiences a unique failure.

Mr. Speaker, this is a mistaken amendment. It is a misguided amendment that finds moral equivalence between the United States and our adversaries and ties the hands of the United States.

Mr. Speaker, imagine the message it sends when Members of this body stand up and actively urge that we tie the hands of the United States while we allow the Russians and the Chinese to move forward with their developments and with their testing.

Mr. Speaker, I urge my colleagues to oppose this dangerous amendment.

Mr. MCADAMS. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), the congresswoman who has written the book on nuclear testing.

Ms. TITUS. Mr. Speaker, I join Congressman MCADAMS in support of this amendment, which prohibits the Trump administration from conducting a dangerous and unnecessary explosive nuclear test. You want to see something dangerous, take a look at his foreign policy.

Mr. Speaker, for over two decades, our Nation's top scientists have conducted sophisticated tests to ensure the safety and reliability of our nuclear stockpile without detonating these weapons.

As recently as 3 weeks ago, the NNSA stated that they identify no technical reason to resume underground explosive nuclear testing. We should heed their words. They are the experts.

Moreover, conducting an explosive nuclear test encourages our adversaries, like Russia and China, to do the same. There is no good reason to risk the restart of a global arms race, especially at a time when we have the technological advantage.

An entire generation of Cold War patriots and families who worked at and lived downwind of the Nevada test site have suffered illnesses linked to radiation exposure. They know what is at risk if we allow this administration to conduct such a harmful experiment. We shouldn't do it.

Mr. Speaker, I urge my colleagues to support this amendment.

Mr. THORNBERRY. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. MCADAMS. Mr. Speaker, explosive nuclear testing is not necessary to ensure that our stockpile remains safe, and nothing in this amendment would change that.

Explosive nuclear testing causes irreparable harm to human health and our environment and jeopardizes the U.S. leadership role on nuclear nonproliferation.

Mr. Speaker, I urge the adoption of my amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, near as I can tell, this is an amendment in response to a mistaken press story. We depend on nuclear deterrent as the cornerstone of our defense efforts. The nuclear weapons are aging machines. We don't understand everything that happens as they age. We have fewer of them and fewer kinds of them so that if there is a problem, it is a bigger deal.

So, what we have decided to do is to be ready to test in case we need to. That is what the $10 million in the Senate is. It is test readiness, like the diagnostic machines, the machines that dig holes in the ground to do these underground tests.

We need to be ready. The harder we make it to test, the more obstacles we put in the way of a test if needed—only if needed. But the harder we make it, the less credible our nuclear deterrent is. The less credible our nuclear deterrent is, the more our adversaries will try to take advantage of us and the more our allies will decide to develop their own nuclear weapons because they can't depend on us.

Mr. Speaker, these things are important. They have big consequences. We should not make decisions like this based on a mistaken press story.

Mr. Speaker, I urge that the amendment be rejected, and I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I rise in strong support of the amendment offered by Representatives MCADAMS, TITUS, HORSFORD and myself.

Mr. Speaker, on July 16th, 75 years ago at 5:29 a.m., the first ever nuclear explosion burned across the skies of New Mexico, changing the world forever.

The Trinity Test was certainly an astonishing moment. When the bomb, called the Gadget, detonated, the observing scientists experienced the literal definition of shock and awe.

A great deal has happened since that first test of an atomic bomb. The United States is the only nation to have used nuclear bombs against a foreign nation. The U.S. carried out tests for several decades, ending them only in 1992.

During those years, nuclear testing killed or sickened thousands of military personnel who were involved in the detonations, as well the people who lived downrange from U.S. test sites, including tens of thousands in the continental United States. These communities are still dealing with the devastating legacy of nuclear testing decades after the U.S. conducted its last nuclear test in 1992. The responsible step for Congress would be to extend and expand the Radiation Effects Compensation Act (RECA) rather than to endorse talk of resuming U.S. nuclear testing, which would dishonor the experiences of downwinders and atomic veterans.

The United States established a blue-ribbon panel to investigate what had happened to our atomic veterans, resulting in public apologies by Presidents H.W. Bush, Bill Clinton and George Bush and special reparations and health program by the Departments of Justice and Veterans Affairs. I would like to thank Chairman ADAM SMITH and Ranking Member THORNBERRY for including in the underlying bill, H.R. 6395, a provision to honor our Atomic Veterans with a service medal, and I urge them to fight to include this provision in the final conference report of the NDAA later this year.

For more than a quarter-century, the Science-Based Stockpile Stewardship Program has worked extraordinarily well in ensuring the reliability of the existing nuclear warhead types in the U.S. arsenal. The overwhelming majority of the past U.S. nuclear test explosions were for "weapons development" and "weapons effects" purposes. There is

simply no technical reason to resume testing now, nor in the foreseeable future.

Mr. Speaker, resuming U.S. testing would violate the global taboo against nuclear testing established by the 1996 Comprehensive Test Ban Treaty. As one of the 184 signatories of the CTBT, the United States has a legal obligation not to take actions that violate the object and purpose of the treaty, which is to prohibit nuclear test explosions, no matter what the yield. Renewed testing by the U.S. would undermine global support for operating and maintaining the treaty's International Monitoring System, which the United States itself depends upon to help monitor other states' compliance with the nuclear test ban.

The McAdams-Titus amendment is right thing to do. It is the smart thing to do. And it is the moral and humane thing to do.

For these and so many other reasons, I urge all my colleagues to support the McAdams amendment.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentleman from Utah (Mr. MCADAMS).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THORNBERRY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 5 OFFERED BY MS. OMAR

The SPEAKER pro tempore. It is now in order to consider amendment No. 5 printed in House Report 116–457.

Ms. OMAR. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 766, beginning line 15, strike section 1213 and insert the following:

SEC. 1213. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) IN GENERAL.—It is the policy of the United States that, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, the President shall—

(1) complete the accelerated transition of United States combat operations to the Government of Afghanistan by April 29, 2021;

(2) complete the accelerated transition of all military forces of the United States, its allies, and coalition partners, including all non-diplomatic civilian personnel, security contractors, trainers, advisors, and supporting services personnel by April 29, 2021; and

(3) implement the US—Taliban agreement of February 29, 2020, in pursuit of a political settlement and reconciliation of the internal conflict in Afghanistan that includes the Government of Afghanistan, all interested parties within Afghanistan, and the observance and support of representatives of donor countries active in Afghanistan, regional governments, and partners, in order to secure a secure and independent Afghanistan and regional security and stability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) if the President determines that it is necessary to maintain United States Armed Forces in Afghanistan to carry out missions after April 29, 2021, such continued presence and missions should be authorized by a separate vote of Congress not later than October 7, 2021; and

(2) the withdrawal of the United States Armed Forces from Afghanistan must be accompanied by a long-term peace process that is inclusive of all parties to the conflict and sectors of civil society.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit or otherwise limit any authority of the President to—

(1) modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) attack al Qaeda forces wherever such forces are located;

(3) provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or

(4) gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentlewoman from Minnesota (Ms. OMAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. OMAR. Mr. Speaker, October of next year will mark 20 years since the war in Afghanistan started. That is a generation of devastation in Afghanistan, a generation of our men and women in uniform being sent to fight and die for a war with no exit strategy. And still, to this day, there are people saying that we shouldn't be too hasty in leaving.

Too hasty? It has been two decades.

Mr. Speaker, there will never be a perfect time to withdraw our troops. There will never be a time when making the right decision does not include some risks.

Our obligation to Afghanistan's stability will not end when our troops leave. My amendment sets a clear timeline and clear Congressional intent that we must end our country's longest war.

Mr. Speaker, we put this debate in context. I want to say this amendment was offered by my friend, Chairman MCGOVERN, 7 years ago. It passed the House in 2013 with the majority of both parties voting in favor. During that debate, Mr. MCGOVERN stood on the floor and said: ''The future and fate of tens of thousands of uniformed men and women deserve a vote.'' The House took that vote, and 305 Members of this body voted to end the war in Afghanistan.

Yet, since then, we have had 7 years of fighting and sustained violence, 7 years of civilian casualties, 7 years of servicemembers being forced to say good-bye to their families and subjected to a terrible trauma.

In many ways, it is baffling to me that I have to do this, but I echo Mr. MCGOVERN's words from 2013: The future and fate of thousands of uniformed men and women deserve a vote.

As a survivor of war, I can tell you that even 1 more minute of conflict comes with a cost that is too great for most to imagine.

Finally, I say that I do not believe that the end of military engagement should be the end of our obligation to the Afghanistan people. Mr. Speaker, my amendment calls for a comprehensive peace plan that includes all sectors of civil society. It calls for renewed engagement on diplomacy and development. It calls us to fulfill our moral and strategic obligation but not to risk one more life of American servicemembers in a war with no clear objective.

□ 1515

Mr. THORNBERRY. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Ms. CHENEY).

Ms. CHENEY. Mr. Speaker, I rise in strong opposition to this amendment.

Our forces remain in Afghanistan in order to prevent terrorists from establishing safe havens from which they can launch attacks against the United States.

My colleague, Ms. OMAR, has said that she is a survivor of war, and I honor the fact that she has been able to find safety and refuge and citizenship and opportunity and freedom and that she stands with me today on the floor of this body, this people's House. I think that tells you what an incredible nation the United States is.

But I also think that as someone who has described herself as a survivor of war, she would recognize more fully the damage and the devastation that was done to the United States of America on September 11 when we were attacked by terrorists who trained and plotted and launched from bases in Afghanistan.

Decisions about troop levels in Afghanistan must be based on conditions on the ground. Wars don't end because the United States retreats. What that means is that we have ceded the ground to our adversaries. And wars don't end because some number of years have passed. We have to decide whether we want to fight the terrorists, al-Qaida, ISIS, the Taliban, in Afghanistan or whether we have to fight them here.

Pretending the Taliban is a partner for peace, especially in the wake, Mr. Speaker, of reports that Russia is paying the Taliban to kill United States troops, is indefensible, whether you are a Democrat or a Republican.

I urge my colleagues to recognize that decisions about troop levels must

be made based on what is necessary to prevent terrorists from establishing safe havens they can use to attack all of us and the freedoms and the values we hold dear.

This is a dangerous amendment. I urge my colleagues to oppose it.

Ms. OMAR. Mr. Speaker, the last time this amendment was voted on in 2013, again, it got 305 Members of this body to vote for it. Nothing has changed since then.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LEE), the only Member of the House to vote against the 2001 authorization for war.

Ms. LEE of California. Mr. Speaker, first of all, let me thank Congresswoman OMAR for introducing this amendment and for her tremendous leadership; also, to Chairman MCGOVERN, who offered this amendment several years ago when it passed the House with the support of, as Congresswoman OMAR said, over 300 Members.

Our war in Afghanistan began almost two decades ago. At that time, we drafted, debated, and passed an authorization for Use of Military Force in 3 days. Congress applied no time limit. It gave authority for a mission so broad and vaguely defined that it has essentially created a blank check for 20 years of war.

Yes, I was opposed then to that resolution. But, quite frankly, I gain no satisfaction that my fears have been fully justified. But I do think there is a lesson here, and that is that Congress that needs to play a more active role in defining the scope and the timing of how America makes war.

Some of my friends will argue against this amendment by saying we cannot tie the hands of the military. I would ask them to look at where we are. When Congress fails to insist on limits and guidelines for our military, the mission gets confused and lost.

We have now negotiated an agreement to bring our role in Afghanistan to an end. The President himself has said that he intends to bring our troops home. This amendment will provide the accountability for doing so.

It is far past time to bring almost two decades—mind you, two decades—of nonstop war to an end. These forever wars have spanned wider and wider.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. OMAR. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. These wars, I remind you, have cost us $5 trillion and claimed hundreds of thousands of lives.

The war in Afghanistan is the longest war in American history, with troops now fighting a war that was launched before they were even born.

Enough is enough. This is a thoughtful and deliberative way for us to untangle our military from Afghanistan and bring this long war to an end.

So I want to thank the gentlewoman from Minnesota for her tremendous leadership in bringing this important amendment to the floor, and I ask for an ''aye'' vote.

Ms. OMAR. Mr. Speaker, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. CROW), a distinguished combat veteran.

Mr. CROW. Mr. Speaker, after almost 20 years and thousands of lives, the war in Afghanistan must come to an end. I know, because I served two combat tours there and saw the horrors of that war. That is why, since coming to Congress, I have been at the forefront of efforts to end the war and reassert Congress' war powers and end some of the Authorizations for Use of Military Force.

But in doing so, we must not be driven by artificial deadlines dictated by election-year politics. We must coordinate with our allies who still serve shoulder to shoulder with us. We must protect our troops during very high-risk withdrawal operations. We must prevent a resurgence of ISIS like we saw in Iraq. And, importantly, we must establish some safeguards for the women and children of Afghanistan.

Let's do this. Let's bring our troops home and dedicate our resources here. But let's do it the right way, not rushed by the coming election day.

Many of my colleagues and I share the same goals, but there is a right way to do it and a wrong way to do it. That is why I urge my colleagues to oppose this amendment.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MOULTON), another distinguished combat veteran.

Mr. MOULTON. Mr. Speaker, I share the same goals as Mr. CROW and my colleagues. And I have tremendous respect for Representative OMAR, who has brought this amendment forward for debate.

I don't think there is anyone who wants to bring the troops home more than someone like Mr. CROW, who has served on the ground in Afghanistan in combat. But there is an objective for this war. There is a reason why he went and put his life on the line for this country, and that is to prevent another terrorist attack here at home.

It is our solemn duty to protect the people of the United States and maintain our national security. We didn't end World War II by saying to the Germans: ''We are going to withdraw by a certain deadline.'' We came home when the job was done.

We can have a very wise and important debate about whether we are doing the job well in Afghanistan and as quickly as possible. We can't forget why we have gone. We can't forget what it takes to come home.

Mr. THORNBERRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, somehow, somewhere, common sense has to play a role here. We have a negotiated agreement with the Taliban. Part of that agreement involves the reduction and ultimate withdrawal of U.S. troops. In return, the Taliban has promised to play a more constructive role in the country.

This amendment says we are leaving anyway, no matter what the Taliban does. It wraps up their fondest wish, puts a bow on it, and just hands it to them, betraying the brave men and women of Afghanistan who have worked and sacrificed to build a better country and worked side by side with us to prevent another terrorist attack against us.

That seems to make no sense. Why would we do such a thing?

As all the speakers have said, we all want to ultimately leave Afghanistan. We should do so in a way that is fair to our allies, fair to the people of Afghanistan, and protects American national security. Mr. Speaker, I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I rise today in strong support of Amendment No. 5 offered by the gentlelady from Minnesota, Congresswoman OMAR, to establish a policy framework for the accelerated withdrawal of U.S. forces from Afghanistan. I thank Congresswoman OMAR for her leadership on this and so many other critical foreign and defense policy issues.

Mr. Speaker, in October of this year, the United States will have been engaged in the Afghanistan conflict for 19 years. That's 19 years of war, Mr. Speaker. Nineteen years of terrible losses of life—among our brave troops and servicemembers, our coalition partners, humanitarian and other development aid workers, and most of all, among the people of Afghanistan who have suffered the highest death toll.

The numbers of deaths and injuries are chilling: nearly 2400 U.S. military have died; over 20,000 have been wounded; and over 1700 U.S. contractors have lost their lives in Afghanistan. For the Afghan people, the war has been devastating: over 100,000 Afghan civilians have been killed or wounded over the course of this war. According to the United Nations, whose figures are considered conservative, for each of the past six years, Afghan civilians have suffered over 10,000 casualties annually. Mr. Speaker, it is likely that every family in Afghanistan has suffered grave loss from this unending war.

It's been 19 years of devastation, Mr. Speaker. No one can assert that it would be a hasty or untimely moment to consider withdrawing our forces from Afghanistan. In fact, I believe that it is well past time for the United States to withdraw its forces, close the chapter on this war, and take meaningful steps to secure a stable peace.

This amendment calls for a long-term, inclusive peace process and strikes a section of the NDAA that would impose unduly onerous conditions on troop drawdown, essentially preventing any withdrawal and prolonging this endless war. A nearly identical amendment passed the House in 2013, 305–121, with overwhelming bipartisan support. That was an amendment offered by Congressman ADAM SMITH (WA), our late colleague Walter Jones of North Carolina, and me. If the House so overwhelmingly supported a withdrawal of troops in 2013, then why not today?

According to the ''Costs of War Project at Brown University,'' the United States has

spent nearly $2 trillion on this war. To finance war spending, the United States has borrowed heavily and will pay more than $600 billion in interest on those loans through 2023. The rest of the debt will take years to repay.

In addition to the more than $2 trillion the U.S. government has already spent on the war, debt and medical costs will continue long into the future.

Mr. Speaker, I know that Afghanistan is in the midst of negotiations to end this conflict. The withdrawal of U.S. troops is a key element of securing that peace. Let us begin today to put that framework in place, begin the safe and orderly withdrawal of our troops; and put an end to the longest war in U.S. history.

I urge all my colleagues to support the Omar Amendment No. 5.

Mr. McCAUL. Mr. Speaker, I agree with Ranking Member THORNBERRY in opposing this irresponsibly unbalanced amendment.

This text one-sidedly declares it to be the policy of the United States to complete the withdrawal of U.S. troops from Afghanistan by April.

It directs what ''the President shall'' do, but makes no mention of the Taliban's obligations that would render any withdrawal more advisable or feasible.

By focusing only on U.S. withdrawal, it recasts the conditions-based U.S.-Taliban agreement as a retreat declaration, rather than a roadmap toward peace.

The reality is that the President has been drawing down U.S. troops in Afghanistan.

But contrary to the aim of this amendment, the President also has and needs the authority to maintain a residual force to address potential counterterrorism needs and the shifting situation on the ground.

More importantly, the Taliban must uphold their commitments—starting the intra-Afghan dialogue, cutting ties with al Qaeda, securing a permanent cease-fire, and preempting threats to U.S. security—or face the consequences.

Those are the real steps needed for securing both a responsible U.S. withdrawal and a lasting, inclusive peace for the people of Afghanistan.

Instead of acknowledging that, this political amendment sends the wrong message to the Taliban at the wrong time just to provide veto bait against a bill critical for U.S. national security.

U.S. policy should be to urge the Taliban to uphold their commitments, not to rashly abandon our Afghan partners to fend for themselves against the Taliban and its deplorable record on human rights.

The people of Afghanistan deserve better and as such, I urge a ''no'' vote.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentlewoman from Minnesota (Ms. OMAR).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THORNBERRY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 6 OFFERED BY MS. JAYAPAL

The SPEAKER pro tempore. It is now in order to consider amendment No. 6 printed in House Report 116–457.

Ms. JAYAPAL. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1742 and insert the following new section:

SEC. 1742. REPEAL OF PROVISIONS RELATING TO UNFUNDED PRIORITIES.

(a) THE ARMED FORCES AND THE MISSILE DEFENSE AGENCY.—Chapter 9 of title 10, United States Code, is amended as follows:

(1) Section 222a is repealed.

(2) Section 222b is repealed.

(3) In the table of sections at the beginning of the chapter, strike the items relating to sections 222a and 222b.

(b) LABORATORY MILITARY CONSTRUCTION PROJECTS.—Section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note) is repealed.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Speaker, my amendment would repeal the law that requires the military to provide an unfunded priorities list to Congress along with their budget request each year.

This year, the Pentagon requested a whopping $740 billion from Congress, even more than last year, while other agencies like the State Department, the EPA, and the Department of Housing and Urban Development were cut by over 15 percent.

The defense budget eats up over half of our Nation's annual discretionary budget, and yet this year Pentagon officials gave Members of Congress a wish list of $18 billion in unfunded priorities on top of its request for $740 billion in spending.

Why? Because in 2016, Congress actually passed a law requiring the military services and combatant commands to provide annual wish lists of weapons systems that the Pentagon couldn't fit into its already massive budget.

No other Federal agency is required by law to provide such wish lists, and with good reason. The practice is irresponsible, and it undermines the very goals of budgeting.

So why does it exist? Because it gives special interests and the defense contractor industry an opportunity to argue for Congress to fund additional, extremely expensive weapons systems not important enough to make it into the Pentagon's budget.

Now, this is a bipartisan concern. You might hear that this is something that just Democrats want. No. Lawmakers have long questioned the utility of unfunded priority lists. The late Senator John McCain, chairman of the Senate Armed Services Committee, said in 2015: ''Actually, I am not really big on unfunded priority lists. I think they're sort of a backdoor way of getting things done.''

Former Defense Secretary Robert Gates took a step further to ban the practice of submitting these lists to Congress during his tenure.

Senator McCain and Secretary Gates were exactly right. We need to see spending discipline and better efficiency within the Pentagon.

The Department of Defense has now failed two consecutive audits in 2 years. The Pentagon lost track of $800 million in construction projects and $2.1 billion in spare parts for the F–35 program. And it even buried an internal study revealing $125 billion in bureaucratic waste amid fears that the findings might lead Congress to reconsider the massive sum of taxpayer money that goes to the Pentagon each year.

If a private corporation lost track of hundreds of millions of dollars and shielded evidence that it could save billions in wasteful spending, its shareholders would find that completely unacceptable, but the Defense Department has not undertaken the kind of real reform that it needs. In fact, the senior officer the Pentagon appointed just 3 years ago to reform the Department is now poised to be eliminated because she identified too much waste that could be saved.

Now, the other side might claim that these wish lists are necessary for our national security. To that I say, if they are necessary, put them in the budget. Put them in the budget. The Pentagon submitted a budget for $740 billion. If these programs are so necessary, put them in the budget. No budget on top of budgets.

Additionally, this amendment doesn't preclude our military services and combatant commands from sending over wish lists or testifying to Congress, but what it does do is end a terrible budgeting practice that lines the pockets of a bunch of defense contractor lobbyists at the expense of working people. That is unsustainable, and we must rein that in.

Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. THORNBERRY. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I think this amendment reflects a basic understanding of why that underlying provision of law is there.

The Pentagon loves this amendment because they have tried before to prevent us from receiving any information about anything that is not in their budget request. They want us to rubber-stamp whatever they send over and not exercise our independent judgment.

But the Constitution says it is our responsibility to raise and support,

provide and maintain the military forces of the United States. So, we take the Pentagon proposal seriously, but it doesn't mean we rubber-stamp them.

We solicit wider amounts of information, and sometimes, we have different judgment calls. Looking back over history, our judgment calls look pretty good, I would say. Sometimes within the Pentagon, there are cultural issues, parochial issues, service rivalries that shape the budget that comes to us.

We, in Congress, need that broader look. We need to hear from the combatant commanders what did not make it into the budget because then we may have a different judgment call about what should be in the budget.

Those reports help us do our job. That is why it is a matter of law that they are sent to us, and that is the reason it makes no sense to deny us the information we need to fulfill our responsibilities under the Constitution.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. SMITH), the distinguished chairman of the committee.

Mr. SMITH of Washington. Mr. Speaker, first of all, let me associate myself with Ms. JAYAPAL's remarks. I completely agree with everything she said.

I have an enormous amount of respect for Mr. THORNBERRY, but I disagree with the premise of part of what he said. Part of what he said is absolutely right. We should exercise our independent judgment and not simply rubber-stamp what the Pentagon asks us for, but I don't see how having them give us even more of what they want somehow better enables us to exercise our independent judgment.

It is the Pentagon who is sending us what ''their priorities are.'' I think we should be absolutely skeptical of whatever they sent us. But to say, ''Look, you get to ask for $740 billion, and then you can ask for even more,'' that somehow that makes it easier for us to exercise independent judgment, independent of what the Pentagon wants, sort of stands logic on its head.

Make no mistake about it, there is one and only one reason for this law. It is because there are some who believe that no matter what you spend on the Pentagon and defense spending, you could always spend more. They are trying to push us down that road toward more, which is wrong because it is a waste. But it is also wrong because it is bad for national security.

We need to make choices, not imagine that the budget is unlimited. That is what this does, and it should go away.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. KELLY).

Mr. KELLY of Mississippi. Mr. Speaker, the UFR list does not add any additional spending authorizations to the NDAA. Congress has a constitutional responsibility to fund the military. These lists provide us with insight into senior leader requirements. It allows us to allow the combatant commanders, the people down there who are closest to the troops, to tell us what they need.

I am surprised that she is for the current administration, and the DOD that is appointed by the current administration, to tell us how we need to spend our money in Congress. I am not for that with any President.

We need to do our job as Congress, and we need to listen to the people closest to the ground, and it does not add any money to the current NDAA process.

Ms. JAYAPAL. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore (Mr. CUELLAR). The gentlewoman from Washington has 30 seconds remaining.

Ms. JAYAPAL. Mr. Speaker, I just wanted to say that we are getting the priorities from the Pentagon. That is called the budget. That is what they are supposed to do. They are supposed to put together their priorities and send it to us. So, we are looking at exactly what the Pentagon wants.

We are responding to that by, in this case, putting $740 billion into a defense budget. Now, you are going to tell me you need a budget on top of the budget. That is bad budgeting, by every stretch of the imagination.

Mr. Speaker, I don't care which President asked for it, it is bad. That is why this has always been a bipartisan amendment or a bipartisan idea to get rid of this Unfunded Priorities List. It does not do the job; it bloats the military budget; and it is unnecessary and inefficient and bad spending.

Mr. Speaker, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Speaker, I oppose this amendment.

The Unfunded Priorities List is critical for services to convey their needs to adequately capture emerging requirements.

The budgets submitted through an annual budgeting process are constructed over the course of a year, but combat is a daily evolution. Adversaries are really not concerned about our budgeting process.

As someone who has been responsible for creating a significantly broad military budget, I know the challenges in planning for future fights while recognizing the fluidity and uncertainty surrounding current operations.

UFRs allow services to convey to Congress which budget sacrifices were made and the associated consequences. More importantly, the Armed Services Committee rightfully added the Chief of the National Guard Bureau to the UFR's list this year. This amendment would strike that language and impede the Guard in adjusting for the unexpected.

Undercutting the National Guard in a year in which they have been asked to do so much for our country is not—I repeat not—a wise course of action.

This amendment should not be supported, and I urge my colleagues to vote ''no.''

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, I rise in opposition to this misguided amendment.

I am amazed that there are Members of Congress who want to limit the amount of information we receive to make important funding decisions for our national security.

Congress has the power of the purse. Congress has the responsibility to make the tough funding decisions. In order to do that, we need the information available.

We should not be a rubber stamp for the Pentagon. Contrary to what the amendment's sponsor said, unfunded requirements lists do not increase the size of the military's budget. We, as Members of Congress, must find offsets if we want to fund a requirement on the list.

For example, in the budget request, the Air Force made significant cuts to intelligence, surveillance, and reconnaissance programs. Almost every COCOM unfunded requirements list had ISR capabilities as a critical requirement and operational need. This committee, after conducting careful oversight, made the decision to restore funding for those programs based on the identified needs of our combatant commanders.

We did not pull the money out of thin air. We found places in the budget request to cut to support these programs and minimize near-term operational risk.

All this amendment does is limit the information Congress receives from the military services, to include the National Guard.

Mr. Speaker, I strongly encourage Members to oppose this amendment.

Mr. THORNBERRY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THORNBERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. DEGETTE

The SPEAKER pro tempore. It is now in order to consider amendment No. 7 printed in House Report 116–457.

Ms. DEGETTE. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1455, after line 25, insert the following new division:

DIVISION E—PUBLIC LANDS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Protecting America's Wilderness Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COLORADO WILDERNESS

Sec. 101. Short title; definition.
Sec. 102. Additions to National Wilderness Preservation System in the State of Colorado.
Sec. 103. Administrative provisions.
Sec. 104. Water.
Sec. 105. Sense of Congress.
Sec. 106. Department of defense study on impacts that the expansion of wilderness designations in the western united states would have on the readiness of the armed forces of the united states with respect to aviation training.

TITLE II—NORTHWEST CALIFORNIA WILDERNESS, RECREATION, AND WORKING FORESTS

Sec. 201. Short title.
Sec. 202. Definitions.

Subtitle A—Restoration and Economic Development

Sec. 211. South Fork Trinity-Mad River Restoration Area.
Sec. 212. Redwood National and State Parks restoration.
Sec. 213. California Public Lands Remediation Partnership.
Sec. 214. Trinity Lake visitor center.
Sec. 215. Del Norte County visitor center.
Sec. 216. Management plans.
Sec. 217. Study; partnerships related to overnight accommodations.

Subtitle B—Recreation

Sec. 221. Horse Mountain Special Management Area.
Sec. 222. Bigfoot National Recreation Trail.
Sec. 223. Elk Camp Ridge Recreation Trail.
Sec. 224. Trinity Lake Trail.
Sec. 225. Trails study.
Sec. 226. Construction of mountain bicycling routes.
Sec. 227. Partnerships.

Subtitle C—Conservation

Sec. 231. Designation of wilderness.
Sec. 232. Administration of wilderness.
Sec. 233. Designation of potential wilderness.
Sec. 234. Designation of wild and scenic rivers.
Sec. 235. Sanhedrin Special Conservation Management Area.

Subtitle D—Miscellaneous

Sec. 241. Maps and legal descriptions.
Sec. 242. Updates to land and resource management plans.
Sec. 243. Pacific Gas and Electric Company Utility facilities and rights-of-way.

TITLE III—CENTRAL COAST HERITAGE PROTECTION

Sec. 301. Short title.
Sec. 302. Definitions.
Sec. 303. Designation of wilderness.
Sec. 304. Designation of the Machesna Mountain Potential Wilderness.
Sec. 305. Administration of wilderness.
Sec. 306. Designation of Wild and Scenic Rivers.
Sec. 307. Designation of the Fox Mountain Potential Wilderness.
Sec. 308. Designation of scenic areas.
Sec. 309. Condor National Scenic Trail.
Sec. 310. Forest service study.
Sec. 311. Nonmotorized recreation opportunities.
Sec. 312. Use by members of Tribes.

TITLE IV—SAN GABRIEL MOUNTAINS FOOTHILLS AND RIVERS PROTECTION

Sec. 401. Short title.
Sec. 402. Definition of State.

Subtitle A—San Gabriel National Recreation Area

Sec. 411. Purposes.
Sec. 412. Definitions.
Sec. 413. San Gabriel National Recreation Area.
Sec. 414. Management.
Sec. 415. Acquisition of non-Federal land within Recreation Area.
Sec. 416. Water rights; water resource facilities; public roads; utility facilities.
Sec. 417. San Gabriel National Recreation Area Public Advisory Council.
Sec. 418. San Gabriel National Recreation Area Partnership.
Sec. 419. Visitor services and facilities.

Subtitle B—San Gabriel Mountains

Sec. 421. Definitions.
Sec. 422. National monument boundary modification.
Sec. 423. Designation of Wilderness Areas and Additions.
Sec. 424. Administration of Wilderness Areas and Additions.
Sec. 425. Designation of Wild and Scenic Rivers.
Sec. 426. Water rights.

TITLE V—RIM OF THE VALLEY CORRIDOR PRESERVATION

Sec. 501. Short title.
Sec. 502. Boundary adjustment; land acquisition; administration.

TITLE VI—WILD OLYMPICS WILDERNESS AND WILD AND SCENIC RIVERS

Sec. 601. Short title.
Sec. 602. Designation of olympic national forest wilderness areas.
Sec. 603. Wild and scenic river designations.
Sec. 604. Existing rights and withdrawal.
Sec. 605. Treaty rights.

TITLE VII—STUDY ON FLOOD RISK MITIGATION

Sec. 701. Study on Flood Risk Mitigation.

TITLE VIII—MISCELLANEOUS

Sec. 801. Promoting health and wellness for veterans and servicemembers.
Sec. 802. Fire, insects, and diseases.
Sec. 803. Military activities.

TITLE I—COLORADO WILDERNESS

SEC. 101. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This title may be cited as the ''Colorado Wilderness Act of 2020''.

(b) SECRETARY DEFINED.—As used in this title, the term ''Secretary'' means the Secretary of the Interior or the Secretary of Agriculture, as appropriate.

SEC. 102. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM IN THE STATE OF COLORADO.

(a) ADDITIONS.—Section 2(a) of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 756; 16 U.S.C. 1132 note) is amended by adding at the end the following paragraphs:

''(23) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 316 acres, as generally depicted on a map titled 'Maroon Bells Addition Proposed Wilderness', dated July 20, 2018, which is hereby incorporated in and shall be deemed to be a part of the Maroon Bells-Snowmass Wilderness Area designated by Public Law 88–577.

''(24) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management, which comprise approximately 38,217 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Redcloud Peak Wilderness.

''(25) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forests, which comprise approximately 26,734 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Handies Peak Wilderness.

''(26) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 16,481 acres, as generally depicted on a map titled 'Table Mountain & McIntyre Hills Proposed Wilderness', dated November 7, 2019, which shall be known as the McIntyre Hills Wilderness.

''(27) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 10,282 acres, as generally depicted on a map titled 'Grand Hogback Proposed Wilderness', dated October 16, 2019, which shall be known as the Grand Hogback Wilderness.

''(28) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 25,624 acres, as generally depicted on a map titled 'Demaree Canyon Proposed Wilderness', dated October 9, 2019, which shall be known as the Demaree Canyon Wilderness.

''(29) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 28,279 acres, as generally depicted on a map titled 'Little Books Cliff Proposed Wilderness', dated October 9, 2019, which shall be known as the Little Bookcliffs Wilderness.

''(30) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 14,886 acres, as generally depicted on a map titled 'Bull Gulch & Castle Peak Proposed Wilderness', dated January 29, 2020, which shall be known as the Bull Gulch Wilderness.

''(31) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 12,016 acres, as generally depicted on a map titled 'Bull Gulch & Castle Peak Proposed Wilderness Areas', dated January 29, 2020, which shall be known as the Castle Peak Wilderness.''.

(b) FURTHER ADDITIONS.—The following lands in the State of Colorado administered by the Bureau of Land Management or the United States Forest Service are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 19,240 acres, as generally depicted on a map titled ''Assignation Ridge Proposed Wilderness'', dated November 12, 2019, which shall be known as the Assignation Ridge Wilderness.

(2) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San

Isabel National Forests, which comprise approximately 23,116 acres, as generally depicted on a map titled ''Badger Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Badger Creek Wilderness.

(3) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 35,251 acres, as generally depicted on a map titled ''Beaver Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Beaver Creek Wilderness.

(4) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or the Bureau of Reclamation or located in the Pike and San Isabel National Forests, which comprise approximately 32,884 acres, as generally depicted on a map titled ''Grape Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Grape Creek Wilderness.

(5) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 13,351 acres, as generally depicted on a map titled ''North & South Bangs Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the North Bangs Canyon Wilderness.

(6) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 5,144 acres, as generally depicted on a map titled ''North & South Bangs Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the South Bangs Canyon Wilderness.

(7) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 26,624 acres, as generally depicted on a map titled ''Unaweep & Palisade Proposed Wilderness'', dated October 9, 2019, which shall be known as The Palisade Wilderness.

(8) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompaghre, and Gunnison National Forests, which comprise approximately 19,776 acres, as generally depicted on a map titled ''Unaweep & Palisade Proposed Wilderness'', dated October 9, 2019, which shall be known as the Unaweep Wilderness.

(9) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management and Uncompaghre Field Office of the Bureau of Land Management and in the Manti-LaSal National Forest, which comprise approximately 37,637 acres, as generally depicted on a map titled ''Sewemup Mesa Proposed Wilderness'', dated November 7, 2019, which shall be known as the Sewemup Mesa Wilderness.

(10) Certain lands managed by the Kremmling Field Office of the Bureau of Land Management, which comprise approximately 31 acres, as generally depicted on a map titled ''Platte River Addition Proposed Wilderness'', dated July 20, 2018, and which are hereby incorporated in and shall be deemed to be part of the Platte River Wilderness designated by Public Law 98–550.

(11) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management, which comprise approximately 17,587 acres, as generally depicted on a map titled ''Roubideau Proposed Wilderness'', dated October 9, 2019, which shall be known as the Roubideau Wilderness.

(12) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompaghre, and Gunnison National Forests, which comprise approximately 12,102 acres, as generally depicted on a map titled ''Norwood Canyon Proposed Wilderness'', dated November 7, 2019, which shall be known as the Norwood Canyon Wilderness.

(13) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 24,475 acres, as generally depicted on a map titled ''Papoose & Cross Canyon Proposed Wilderness'', and dated January 29, 2020, which shall be known as the Cross Canyon Wilderness.

(14) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 21,220 acres, as generally depicted on a map titled ''McKenna Peak Proposed Wilderness'', dated October 16, 2019, which shall be known as the McKenna Peak Wilderness.

(15) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 14,270 acres, as generally depicted on a map titled ''Weber-Menefee Mountain Proposed Wilderness'', dated October 9, 2019, which shall be known as the Weber-Menefee Mountain Wilderness.

(16) Certain lands managed by the Uncompahgre and Tres Rios Field Offices of the Bureau of Land Management or the Bureau of Reclamation, which comprise approximately 33,351 acres, as generally depicted on a map titled ''Dolores River Canyon Proposed Wilderness'', dated November 7, 2019, which shall be known as the Dolores River Canyon Wilderness.

(17) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 17,922 acres, as generally depicted on a map titled ''Browns Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the Browns Canyon Wilderness.

(18) Certain lands managed by the San Luis Field Office of the Bureau of Land Management, which comprise approximately 10,527 acres, as generally depicted on a map titled ''San Luis Hills Proposed Wilderness'', dated October 9, 2019 which shall be known as the San Luis Hills Wilderness.

(19) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 23,559 acres, as generally depicted on a map titled ''Table Mountain & McIntyre Hills Proposed Wilderness'', dated November 7, 2019, which shall be known as the Table Mountain Wilderness.

(20) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management or located in the San Juan National Forest, which comprise approximately 10,844 acres, as generally depicted on a map titled ''North & South Ponderosa Gorge Proposed Wilderness'', and dated January 31, 2020, which shall be known as the North Ponderosa Gorge Wilderness.

(21) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management or located in the San Juan National Forest, which comprise approximately 12,393 acres, as generally depicted on a map titled ''North & South Ponderosa Gorge Proposed Wilderness'', and dated January 31, 2020 which shall be known as the South Ponderosa Gorge Wilderness.

(22) Certain lands managed by the Little Snake Field Office of the Bureau of Land Management which comprise approximately 33,168 acres, as generally depicted on a map titled ''Diamond Breaks Proposed Wilderness'', and dated January 31, 2020 which shall be known as the Diamond Breaks Wilderness.

(23) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management which comprises approximately 4,782 acres, as generally depicted on the map titled ''Papoose & Cross Canyon Proposed Wilderness' '', and dated January 29, 2020 which shall be known as the Papoose Canyon Wilderness.

(c) WEST ELK ADDITION.—Certain lands in the State of Colorado administered by the Gunnison Field Office of the Bureau of Land Management, the United States National Park Service, and the Bureau of Reclamation, which comprise approximately 6,695 acres, as generally depicted on a map titled ''West Elk Addition Proposed Wilderness'', dated October 9, 2019, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System and are hereby incorporated in and shall be deemed to be a part of the West Elk Wilderness designated by Public Law 88–577. The boundary adjacent to Blue Mesa Reservoir shall be 50 feet landward from the water's edge, and shall change according to the water level.

(d) BLUE MESA RESERVOIR.—If the Bureau of Reclamation determines that lands within the West Elk Wilderness Addition are necessary for future expansion of the Blue Mesa Reservoir, the Secretary shall by publication of a revised boundary description in the Federal Register revise the boundary of the West Elk Wilderness Addition.

(e) MAPS AND DESCRIPTIONS.—As soon as practicable after the date of enactment of the Act, the Secretary shall file a map and a boundary description of each area designated as wilderness by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Each map and boundary description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in the map or boundary description. The maps and boundary descriptions shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Interior, and in the Office of the Chief of the Forest Service, Department of Agriculture, as appropriate.

(f) STATE AND PRIVATE LANDS.—Lands within the exterior boundaries of any wilderness area designated under this section that are owned by a private entity or by the State of Colorado, including lands administered by the Colorado State Land Board, shall be included within such wilderness area if such lands are acquired by the United States. Such lands may be acquired by the United States only as provided in the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 103. ADMINISTRATIVE PROVISIONS.

(a) IN GENERAL.—Subject to valid existing rights, lands designated as wilderness by this title shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this title, except that, with respect to any wilderness areas designated by this title, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(b) GRAZING.—Grazing of livestock in wilderness areas designated by this title shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), as further interpreted by section 108 of Public Law 96–560, and the guidelines set forth in appendix A of House Report 101–405 of the 101st Congress.

(c) STATE JURISDICTION.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title shall be construed as affecting the jurisdiction or responsibilities of the State of Colorado with respect to wildlife and fish in Colorado.

(d) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around any area designated as wilderness by this title.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that an activity or use on land outside the areas designated as wilderness by this title can be seen or heard within the wilderness shall not preclude the activity or use outside the boundary of the wilderness.

(e) MILITARY HELICOPTER OVERFLIGHTS AND OPERATIONS.—

(1) IN GENERAL.—Nothing in this title restricts or precludes—

(A) low-level overflights of military helicopters over the areas designated as wilderness by this title, including military overflights that can be seen or heard within any wilderness area;

(B) military flight testing and evaluation;

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes over any wilderness area; or

(D) helicopter operations at designated landing zones within the potential wilderness areas established by subsection (i)(1).

(2) AERIAL NAVIGATION TRAINING EXERCISES.—The Colorado Army National Guard, through the High-Altitude Army National Guard Aviation Training Site, may conduct aerial navigation training maneuver exercises over, and associated operations within, the potential wilderness areas designated by this title—

(A) in a manner and degree consistent with the memorandum of understanding dated August 4, 1987, entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service; or

(B) in a manner consistent with any subsequent memorandum of understanding entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service.

(f) RUNNING EVENTS.—The Secretary may continue to authorize competitive running events currently permitted in the Redcloud Peak Wilderness Area and Handies Peak Wilderness Area in a manner compatible with the preservation of such areas as wilderness.

(g) LAND TRADES.—If the Secretary trades privately owned land within the perimeter of the Redcloud Peak Wilderness Area or the Handies Peak Wilderness Area in exchange for Federal land, then such Federal land shall be located in Hinsdale County, Colorado.

(h) RECREATIONAL CLIMBING.—Nothing in this title prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(i) POTENTIAL WILDERNESS DESIGNATIONS.—

(1) IN GENERAL.—The following lands are designated as potential wilderness areas:

(A) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 7,376 acres, as generally depicted on a map titled ''Pisgah East & West Proposed Wilderness'' and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah East Wilderness.

(B) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 6,828 acres, as generally depicted on a map titled ''Pisgah East & West Proposed Wilderness'' and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah West Wilderness.

(C) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 16,101 acres, as generally depicted on a map titled ''Flat Tops Proposed Wilderness Addition'', dated October 9, 2019, and which, upon designation as wilderness under paragraph (2), shall be incorporated in and shall be deemed to be a part of the Flat Tops Wilderness designated by Public Law 94–146.

(2) DESIGNATION AS WILDERNESS.—Lands designated as a potential wilderness area by subparagraphs (A) through (C) of paragraph (1) shall be designated as wilderness on the date on which the Secretary publishes in the Federal Register a notice that all nonconforming uses of those lands authorized by subsection (e) in the potential wilderness area that would be in violation of the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased. Such publication in the Federal Register and designation as wilderness shall occur for the potential wilderness area as the nonconforming uses cease in that potential wilderness area and designation as wilderness is not dependent on cessation of nonconforming uses in the other potential wilderness area.

(3) MANAGEMENT.—Except for activities provided for under subsection (e), lands designated as a potential wilderness area by paragraph (1) shall be managed by the Secretary in accordance with the Wilderness Act as wilderness pending the designation of such lands as wilderness under this subsection.

SEC. 104. WATER.

(a) EFFECT ON WATER RIGHTS.—Nothing in this title—

(1) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(2) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(3) affects any interstate water compact in existence on the date of enactment of this Act;

(4) authorizes or imposes any new reserved Federal water rights; and

(5) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Colorado on or before the date of the enactment of this Act.

(b) MIDSTREAM AREAS.—

(1) PURPOSE.—The purpose of this subsection is to protect for the benefit and enjoyment of present and future generations—

(A) the unique and nationally important values of areas designated as wilderness by section 102(b) (including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, environmental, biological, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land); and

(B) the water resources of area streams, based on seasonally available flows, that are necessary to support aquatic, riparian, and terrestrial species and communities.

(2) WILDERNESS WATER RIGHTS.—

(A) IN GENERAL.—The Secretary shall ensure that any water rights within the wilderness designated by section 102(b) required to fulfill the purposes of such wilderness are secured in accordance with subparagraphs (B) through (G).

(B) STATE LAW.—

(i) PROCEDURAL REQUIREMENTS.—Any water rights for which the Secretary pursues adjudication shall be appropriated, adjudicated, changed, and administered in accordance with the procedural requirements and priority system of State law.

(ii) ESTABLISHMENT OF WATER RIGHTS.—

(I) IN GENERAL.—Except as provided in subclause (II), the purposes and other substantive characteristics of the water rights pursued under this paragraph shall be established in accordance with State law.

(II) EXCEPTION.—Notwithstanding subclause (I) and in accordance with this title, the Secretary may appropriate and seek adjudication of water rights to maintain surface water levels and stream flows on and across the wilderness designated by section 102(b) to fulfill the purposes of such wilderness.

(C) DEADLINE.—The Secretary shall promptly, but not earlier than January 1, 2021, appropriate the water rights required to fulfill the purposes of the wilderness designated by section 102(b).

(D) REQUIRED DETERMINATION.—The Secretary shall not pursue adjudication for any instream flow water rights unless the Secretary makes a determination pursuant to subparagraph (E)(ii) or (F).

(E) COOPERATIVE ENFORCEMENT.—

(i) IN GENERAL.—The Secretary shall not pursue adjudication of any Federal instream flow water rights established under this paragraph if—

(I) the Secretary determines, upon adjudication of the water rights by the Colorado Water Conservation Board, that the Board holds water rights sufficient in priority, amount, and timing to fulfill the purposes of this subsection; and

(II) the Secretary has entered into a perpetual agreement with the Colorado Water Conservation Board to ensure full exercise, protection, and enforcement of the State water rights within the wilderness to reliably fulfill the purposes of this subsection.

(ii) ADJUDICATION.—If the Secretary determines that the provisions of clause (i) have not been met, the Secretary shall adjudicate and exercise any Federal water rights required to fulfill the purposes of the wilderness in accordance with this paragraph.

(F) INSUFFICIENT WATER RIGHTS.—If the Colorado Water Conservation Board modifies the instream flow water rights obtained under subparagraph (E) to such a degree that the Secretary determines that water rights held by the State are insufficient to fulfill the purposes of this title, the Secretary shall adjudicate and exercise Federal water rights required to fulfill the purposes of this title in accordance with subparagraph (B).

(G) FAILURE TO COMPLY.—The Secretary shall promptly act to exercise and enforce the water rights described in subparagraph (E) if the Secretary determines that—

(i) the State is not exercising its water rights consistent with subparagraph (E)(i)(I); or

(ii) the agreement described in subparagraph (E)(i)(II) is not fulfilled or complied with sufficiently to fulfill the purposes of this title.

(3) WATER RESOURCE FACILITY.—Notwithstanding any other provision of law, beginning on the date of enactment of this title, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for development of any new irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission, other ancillary facility, or other water, diversion, storage, or carriage structure in the wilderness designated by section 102(b).

(c) ACCESS AND OPERATION.—

(1) DEFINITION.—As used in this subsection, the term ''water resource facility'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(2) ACCESS TO WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection, the Secretary shall allow reasonable access to water resource facilities in existence on the date of enactment of this Act within the areas described in sections 102(b) and 102(c), including motorized access where necessary and customarily employed on routes existing as of the date of enactment of this Act.

(3) ACCESS ROUTES.—Existing access routes within such areas customarily employed as of the date of enactment of this Act may be used, maintained, repaired, and replaced to the extent necessary to maintain their present function, design, and serviceable operation, so long as such activities have no increased adverse impacts on the resources and values of the areas described in sections 102(b) and 102(c) than existed as of the date of enactment of this Act.

(4) USE OF WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection and subsection (a)(4), the Secretary shall allow water resource facilities existing on the date of enactment of this Act within areas described in sections 102(b) and 102(c) to be used, operated, maintained, repaired, and replaced to the extent necessary for the continued exercise, in accordance with Colorado State law, of vested water rights adjudicated for use in connection with such facilities by a court of competent jurisdiction prior to the date of enactment of this Act. The impact of an existing facility on the water resources and values of the area shall not be increased as a result of changes in the adjudicated type of use of such facility as of the date of enactment of this Act.

(5) REPAIR AND MAINTENANCE.—Water resource facilities, and access routes serving such facilities, existing within the areas described in sections 102(b) and 102(c) on the date of enactment of this Act shall be maintained and repaired when and to the extent necessary to prevent increased adverse impacts on the resources and values of the areas described in sections 102(b) and 102(c).

SEC. 105. SENSE OF CONGRESS.

It is the sense of Congress that military aviation training on Federal public lands in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

SEC. 106. DEPARTMENT OF DEFENSE STUDY ON IMPACTS THAT THE EXPANSION OF WILDERNESS DESIGNATIONS IN THE WESTERN UNITED STATES WOULD HAVE ON THE READINESS OF THE ARMED FORCES OF THE UNITED STATES WITH RESPECT TO AVIATION TRAINING.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on the impacts that the expansion of wilderness designations in the Western United States would have on the readiness of the Armed Forces of the United States with respect to aviation training.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study required under subsection (a).

TITLE II—NORTHWEST CALIFORNIA WILDERNESS, RECREATION, AND WORKING FORESTS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Northwest California Wilderness, Recreation, and Working Forests Act''.

SEC. 202. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of California.

Subtitle A—Restoration and Economic Development

SEC. 211. SOUTH FORK TRINITY-MAD RIVER RESTORATION AREA.

(a) DEFINITIONS.—In this section:

(1) COLLABORATIVELY DEVELOPED.—The term ''collaboratively developed'' means projects that are developed and implemented through a collaborative process that—

(A) includes—

(i) appropriate Federal, State, and local agencies; and

(ii) multiple interested persons representing diverse interests; and

(B) is transparent and nonexclusive.

(2) PLANTATION.—The term ''plantation'' means a forested area that has been artificially established by planting or seeding.

(3) RESTORATION.—The term ''restoration'' means the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed by establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health under current and future conditions.

(4) RESTORATION AREA.—The term ''restoration area'' means the South Fork Trinity-Mad River Restoration Area, established by subsection (b).

(5) SHADED FUEL BREAK.—The term ''shaded fuel break'' means a vegetation treatment that effectively addresses all project-generated slash and that retains: adequate canopy cover to suppress plant regrowth in the forest understory following treatment; the longest lived trees that provide the most shade over the longest period of time; the healthiest and most vigorous trees with the greatest potential for crown-growth in plantations and in natural stands adjacent to plantations; and all mature hardwoods, when practicable.

(6) STEWARDSHIP CONTRACT.—The term ''stewardship contract'' means an agreement or contract entered into under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

(7) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' has the meaning given the term by section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(b) ESTABLISHMENT.—Subject to valid existing rights, there is established the South Fork Trinity-Mad River Restoration Area, comprising approximately 729,089 acres of Federal land administered by the Forest Service and approximately 1,280 acres of Federal land administered by the Bureau of Land Management, as generally depicted on the map entitled ''South Fork Trinity-Mad River Restoration Area—Proposed'' and dated July 3, 2018, to be known as the South Fork Trinity-Mad River Restoration Area.

(c) PURPOSES.—The purposes of the restoration area are to—

(1) establish, restore, and maintain fire-resilient forest structures containing late successional forest structure characterized by large trees and multistoried canopies, as ecologically appropriate;

(2) protect late successional reserves;

(3) enhance the restoration of Federal lands within the restoration area;

(4) reduce the threat posed by wildfires to communities within the restoration area;

(5) protect and restore aquatic habitat and anadromous fisheries;

(6) protect the quality of water within the restoration area; and

(7) allow visitors to enjoy the scenic, recreational, natural, cultural, and wildlife values of the restoration area.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the restoration area—

(A) in a manner consistent with the purposes described in subsection (c);

(B) in a manner that—

(i) in the case of the Forest Service, prioritizes restoration of the restoration area over other nonemergency vegetation management projects on the portions of the Six Rivers and Shasta-Trinity National Forests in Humboldt and Trinity Counties; and

(ii) in the case of the United States Fish and Wildlife Service, establishes with the Forest Service an agreement for cooperation to ensure timely completion of consultation required by section 7 of the Endangered Species Act (15 U.S.C. 1536) on restoration projects within the restoration area and agreement to maintain and exchange information on planning schedules and priorities on a regular basis;

(C) in accordance with—

(i) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for land managed by the Bureau of Land Management;

(iii) this title; and

(iv) any other applicable law (including regulations); and

(D) in a manner consistent with congressional intent that consultation for restoration projects within the restoration area is completed in a timely and efficient manner.

(2) CONFLICT OF LAWS.—

(A) IN GENERAL.—The establishment of the restoration area shall not change the management status of any land or water that is designated wilderness or as a wild and scenic river, including lands and waters designated by this title.

(B) RESOLUTION OF CONFLICT.—If there is a conflict between the laws applicable to the areas described in subparagraph (A) and this section, the more restrictive provision shall control.

(3) USES.—

(A) IN GENERAL.—The Secretary shall only allow uses of the restoration area that the Secretary determines would further the purposes described in subsection (c).

(B) PRIORITY.—The Secretary shall prioritize restoration activities within the restoration area.

(C) LIMITATION.—Nothing in this section shall limit the Secretary's ability to plan, approve, or prioritize activities outside of the restoration area.

(4) WILDLAND FIRE.—

(A) IN GENERAL.—Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the restoration area, consistent with the purposes of this section.

(B) PRIORITY.—The Secretary may use prescribed burning and managed wildland fire to

the fullest extent practicable to achieve the purposes of this section.

(5) ROAD DECOMMISSIONING.—

(A) IN GENERAL.—To the extent practicable, the Secretary shall decommission unneeded National Forest System roads identified for decommissioning and unauthorized roads identified for decommissioning within the restoration area—

(i) subject to appropriations;

(ii) consistent with the analysis required by subparts A and B of part 212 of title 36, Code of Federal Regulations; and

(iii) in accordance with existing law.

(B) ADDITIONAL REQUIREMENT.—In making determinations regarding road decommissioning under subparagraph (A), the Secretary shall consult with—

(i) appropriate State, Tribal, and local governmental entities; and

(ii) members of the public.

(C) DEFINITION.—As used in subparagraph (A), the term ''decommission'' means—

(i) to reestablish vegetation on a road; and

(ii) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(6) VEGETATION MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the Secretary may conduct vegetation management projects in the restoration area only where necessary to—

(i) maintain or restore the characteristics of ecosystem composition and structure;

(ii) reduce wildfire risk to communities by promoting forests that are fire resilient;

(iii) improve the habitat of threatened, endangered, or sensitive species;

(iv) protect or improve water quality; or

(v) enhance the restoration of lands within the restoration area.

(B) ADDITIONAL REQUIREMENTS.—

(i) SHADED FUEL BREAKS.—In carrying out subparagraph (A), the Secretary shall prioritize, as practicable, the establishment of a network of shaded fuel breaks within—

(I) the portions of the wildland-urban interface that are within 150 feet from private property contiguous to Federal land;

(II) 150 feet from any road that is open to motorized vehicles as of the date of enactment of this Act—

(aa) except that, where topography or other conditions require, the Secretary may establish shaded fuel breaks up to 275 feet from a road so long as the combined total width of the shaded fuel breaks for both sides of the road does not exceed 300 feet; and

(bb) provided that the Secretary shall include vegetation treatments within a minimum of 25 feet of the road where practicable, feasible, and appropriate as part of any shaded fuel break; or

(III) 150 feet of any plantation.

(ii) PLANTATIONS; RIPARIAN RESERVES.—The Secretary may undertake vegetation management projects—

(I) in areas within the restoration area in which fish and wildlife habitat is significantly compromised as a result of past management practices (including plantations); and

(II) within designated riparian reserves only where necessary to maintain the integrity of fuel breaks and to enhance fire resilience.

(C) COMPLIANCE.—The Secretary shall carry out vegetation management projects within the restoration area—

(i) in accordance with—

(I) this section; and

(II) existing law (including regulations);

(ii) after providing an opportunity for public comment; and

(iii) subject to appropriations.

(D) BEST AVAILABLE SCIENCE.—The Secretary shall use the best available science in planning and implementing vegetation management projects within the restoration area.

(7) GRAZING.—

(A) EXISTING GRAZING.—The grazing of livestock in the restoration area, where established before the date of enactment of this Act, shall be permitted to continue—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(II) applicable law (including regulations); and

(ii) in a manner consistent with the purposes described in subsection (c).

(B) TARGETED NEW GRAZING.—The Secretary may issue annual targeted grazing permits for the grazing of livestock in the restoration area, where not established before the date of the enactment of this Act, to control noxious weeds, aid in the control of wildfire within the wildland-urban interface, or to provide other ecological benefits subject to—

(i) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(ii) a manner consistent with the purposes described in subsection (c).

(C) BEST AVAILABLE SCIENCE.—The Secretary shall use the best available science when determining whether to issue targeted grazing permits within the restoration area.

(e) WITHDRAWAL.—Subject to valid existing rights, the restoration area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(f) USE OF STEWARDSHIP CONTRACTS.—To the maximum extent practicable, the Secretary shall—

(1) use stewardship contracts to implement this section; and

(2) use revenue derived from such stewardship contracts for restoration and other activities within the restoration area which shall include staff and administrative costs to support timely consultation activities for restoration projects.

(g) COLLABORATION.—In developing and implementing restoration projects in the restoration area, the Secretary shall consult with collaborative groups with an interest in the restoration area.

(h) ENVIRONMENTAL REVIEW.—A collaboratively developed restoration project within the restoration area may be carried out in accordance with the provisions for hazardous fuel reduction projects set forth in sections 214, 215, and 216 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514–6516), as applicable.

(i) MULTIPARTY MONITORING.—The Secretary of Agriculture shall—

(1) in collaboration with the Secretary of the Interior and interested persons, use a multiparty monitoring, evaluation, and accountability process to assess the positive or negative ecological, social, and economic effects of restoration projects within the restoration area; and

(2) incorporate the monitoring results into the management of the restoration area.

(j) FUNDING.—The Secretary shall use all existing authorities to secure as much funding as necessary to fulfill the purposes of the restoration area.

(k) FOREST RESIDUES UTILIZATION.—

(1) IN GENERAL.—In accordance with applicable law, including regulations, and this section, the Secretary may utilize forest residues from restoration projects, including shaded fuel breaks, in the restoration area for research and development of biobased products that result in net carbon sequestration.

(2) PARTNERSHIPS.—In carrying out paragraph (1), the Secretary may enter into partnerships with universities, nongovernmental organizations, industry, Tribes, and Federal, State, and local governmental agencies.

SEC. 212. REDWOOD NATIONAL AND STATE PARKS RESTORATION.

(a) PARTNERSHIP AGREEMENTS.—The Secretary of the Interior is authorized to undertake initiatives to restore degraded redwood forest ecosystems in Redwood National and State Parks in partnership with the State of California, local agencies, and nongovernmental organizations.

(b) COMPLIANCE.—In carrying out any initiative authorized by subsection (a), the Secretary of the Interior shall comply with all applicable law.

SEC. 213. CALIFORNIA PUBLIC LANDS REMEDIATION PARTNERSHIP.

(a) DEFINITIONS.—In this section:

(1) PARTNERSHIP.—The term ''partnership'' means the California Public Lands Remediation Partnership, established by subsection (b).

(2) PRIORITY LANDS.—The term ''priority lands'' means Federal land within the State that is determined by the partnership to be a high priority for remediation.

(3) REMEDIATION.—The term ''remediation'' means to facilitate the recovery of lands and waters that have been degraded, damaged, or destroyed by illegal marijuana cultivation or another illegal activity. Remediation includes but is not limited to removal of trash, debris, and other material, and establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health under current and future conditions.

(b) ESTABLISHMENT.—There is hereby established a California Public Lands Remediation Partnership.

(c) PURPOSES.—The purposes of the partnership are to—

(1) coordinate the activities of Federal, State, Tribal, and local authorities, and the private sector, in the remediation of priority lands in the State affected by illegal marijuana cultivation or other illegal activities; and

(2) use the resources and expertise of each agency, authority, or entity in implementing remediation activities on priority lands in the State.

(d) MEMBERSHIP.—The members of the partnership shall include the following:

(1) The Secretary of Agriculture, or a designee of the Secretary of Agriculture to represent the Forest Service.

(2) The Secretary of the Interior, or a designee of the Secretary of the Interior, to represent the United States Fish and Wildlife Service, Bureau of Land Management, and National Park Service.

(3) The Director of the Office of National Drug Control Policy, or a designee of the Director.

(4) The Secretary of the State Natural Resources Agency, or a designee of the Secretary, to represent the California Department of Fish and Wildlife.

(5) A designee of the California State Water Resources Control Board.

(6) A designee of the California State Sheriffs' Association.

(7) One member to represent federally recognized Indian Tribes, to be appointed by the Secretary of Agriculture.

(8) One member to represent nongovernmental organizations with an interest in

Federal land remediation, to be appointed by the Secretary of Agriculture.

(9) One member to represent local governmental interests, to be appointed by the Secretary of Agriculture.

(10) A law enforcement official from each of the following:

(A) The Department of the Interior.

(B) The Department of Agriculture.

(11) A scientist to provide expertise and advise on methods needed for remediation efforts, to be appointed by the Secretary of Agriculture.

(12) A designee of the National Guard Counter Drug Program.

(e) DUTIES.—To further the purposes of this section, the partnership shall—

(1) identify priority lands for remediation in the State;

(2) secure resources from Federal and non-Federal sources to apply to remediation of priority lands in the State;

(3) support efforts by Federal, State, Tribal, and local agencies, and nongovernmental organizations in carrying out remediation of priority lands in the State;

(4) support research and education on the impacts of, and solutions to, illegal marijuana cultivation and other illegal activities on priority lands in the State;

(5) involve other Federal, State, Tribal, and local agencies, nongovernmental organizations, and the public in remediation efforts, to the extent practicable; and

(6) take any other administrative or advisory actions as necessary to address remediation of priority lands in the State.

(f) AUTHORITIES.—To implement this section, the partnership may, subject to the prior approval of the Secretary of Agriculture—

(1) make grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;

(2) enter into cooperative agreements with, or provide grants or technical assistance to, the State, political subdivisions of the State, nonprofit organizations, Federal agencies, and other interested parties;

(3) hire and compensate staff;

(4) obtain funds or services from any source, including Federal and non-Federal funds, and funds and services provided under any other Federal law or program;

(5) contract for goods or services; and

(6) support activities of partners and any other activities that further the purposes of this section.

(g) PROCEDURES.—The partnership shall establish such rules and procedures as it deems necessary or desirable.

(h) LOCAL HIRING.—The partnership shall, to the maximum extent practicable and in accordance with existing law, give preference to local entities and persons when carrying out this section.

(i) SERVICE WITHOUT COMPENSATION.—Members of the partnership shall serve without pay.

(j) DUTIES AND AUTHORITIES OF THE SECRETARY OF AGRICULTURE.—

(1) IN GENERAL.—The Secretary of Agriculture shall convene the partnership on a regular basis to carry out this section.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary of Agriculture and Secretary of the Interior may provide technical and financial assistance, on a reimbursable or non-reimbursable basis, as determined by the appropriate Secretary, to the partnership or any members of the partnership to carry out this title.

(3) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture and Secretary of the Interior may enter into cooperative agreements with the partnership, any members of the partnership, or other public or private entities to provide technical, financial, or other assistance to carry out this title.

SEC. 214. TRINITY LAKE VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service, may establish, in cooperation with any other public or private entities that the Secretary may determine to be appropriate, a visitor center in Weaverville, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of the Whiskeytown-Shasta-Trinity National Recreation Area.

(b) REQUIREMENTS.—The Secretary shall ensure that the visitor center authorized under subsection (a) is designed to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Whiskeytown-Shasta-Trinity National Recreation Area and other nearby Federal lands.

(c) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture may, in a manner consistent with this title, enter into cooperative agreements with the State and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 215. DEL NORTE COUNTY VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture and Secretary of the Interior, acting jointly or separately, may establish, in cooperation with any other public or private entities that the Secretaries determine to be appropriate, a visitor center in Del Norte County, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of Redwood National and State Parks, the Smith River National Recreation Area, and other nearby Federal lands.

(b) REQUIREMENTS.—The Secretaries shall ensure that the visitor center authorized under subsection (a) is designed to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of Redwood National and State Parks, the Smith River National Recreation Area, and other nearby Federal lands.

SEC. 216. MANAGEMENT PLANS.

(a) IN GENERAL.—In revising the land and resource management plan for the Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests, the Secretary shall—

(1) consider the purposes of the South Fork Trinity-Mad River Restoration Area established by section 211; and

(2) include or update the fire management plan for the wilderness areas and wilderness additions established by this title.

(b) REQUIREMENT.—In carrying out the revisions required by subsection (a), the Secretary shall—

(1) develop spatial fire management plans in accordance with—

(A) the Guidance for Implementation of Federal Wildland Fire Management Policy dated February 13, 2009, including any amendments to that guidance; and

(B) other appropriate policies;

(2) ensure that a fire management plan—

(A) considers how prescribed or managed fire can be used to achieve ecological management objectives of wilderness and other natural or primitive areas; and

(B) in the case of a wilderness area expanded by section 231, provides consistent direction regarding fire management to the entire wilderness area, including the addition;

(3) consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public; and

(4) comply with applicable laws (including regulations).

SEC. 217. STUDY; PARTNERSHIPS RELATED TO OVERNIGHT ACCOMMODATIONS.

(a) STUDY.—The Secretary of the Interior, in consultation with interested Federal, State, Tribal, and local entities, and private and nonprofit organizations, shall conduct a study to evaluate the feasibility and suitability of establishing overnight accommodations near Redwood National and State Parks on—

(1) Federal land at the northern boundary or on land within 20 miles of the northern boundary; and

(2) Federal land at the southern boundary or on land within 20 miles of the southern boundary.

(b) PARTNERSHIPS.—

(1) AGREEMENTS AUTHORIZED.—If the study conducted under subsection (a) determines that establishing the described accommodations is suitable and feasible, the Secretary may enter into agreements with qualified private and nonprofit organizations for the development, operation, and maintenance of overnight accommodations.

(2) CONTENTS.—Any agreements entered into under paragraph (1) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization.

(3) COMPLIANCE.—The Secretary shall enter agreements under paragraph (1) in accordance with existing law.

(4) EFFECT.—Nothing in this subsection—

(A) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(B) amends or modifies the application of any existing law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle B—Recreation

SEC. 221. HORSE MOUNTAIN SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, there is established the Horse Mountain Special Management Area (referred to in this section as the ''special management area'') comprising approximately 7,399 acres of Federal land administered by the Forest Service in Humboldt County, California, as generally depicted on the map entitled ''Horse Mountain Special Management Area—Proposed'' and dated April 13, 2017.

(b) PURPOSES.—The purpose of the special management area is to enhance the recreational and scenic values of the special management area while conserving the plants, wildlife, and other natural resource values of the area.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary shall develop a comprehensive plan for the long-term management of the special management area.

(2) CONSULTATION.—In developing the management plan required under paragraph (1), the Secretary shall consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public.

(3) ADDITIONAL REQUIREMENT.—The management plan required under paragraph (1) shall ensure that recreational use within the special management area does not cause significant adverse impacts on the plants and wildlife of the special management area.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the special management area—

(A) in furtherance of the purposes described in subsection (b); and

(B) in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) RECREATION.—The Secretary shall continue to authorize, maintain, and enhance the recreational use of the special management area, including hunting, fishing, camping, hiking, hang gliding, sightseeing, nature study, horseback riding, rafting, mountain biking, and motorized recreation on authorized routes, and other recreational activities, so long as such recreational use is consistent with the purposes of the special management area, this section, other applicable law (including regulations), and applicable management plans.

(3) MOTORIZED VEHICLES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the use of motorized vehicles in the special management area shall be permitted only on roads and trails designated for the use of motorized vehicles.

(B) USE OF SNOWMOBILES.—The winter use of snowmobiles shall be allowed in the special management area—

(i) during periods of adequate snow coverage during the winter season; and

(ii) subject to any terms and conditions determined to be necessary by the Secretary.

(4) NEW TRAILS.—

(A) IN GENERAL.—The Secretary may construct new trails for motorized or nonmotorized recreation within the special management area in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(B) PRIORITY.—In establishing new trails within the special management area, the Secretary shall—

(i) prioritize the establishment of loops that provide high-quality, diverse recreational experiences; and

(ii) consult with members of the public.

(e) WITHDRAWAL.—Subject to valid existing rights, the special management area is withdrawn from—

(1) all forms of appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under laws relating to mineral and geothermal leasing.

SEC. 222. BIGFOOT NATIONAL RECREATION TRAIL.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Agriculture, in cooperation with the Secretary of the Interior, shall submit to the Committee on Natural Resources of the House of Representatives and Committee on Energy and Natural Resources of the Senate a study that describes the feasibility of establishing a nonmotorized Bigfoot National Recreation Trail that follows the route described in paragraph (2).

(2) ROUTE.—The trail described in paragraph (1) shall extend from the Ides Cove Trailhead in the Mendocino National Forest to Crescent City, California, by roughly following the route as generally depicted on the map entitled ''Bigfoot National Recreation Trail—Proposed'' and dated July 25, 2018.

(3) ADDITIONAL REQUIREMENT.—In completing the study required by subsection (a), the Secretary of Agriculture shall consult with—

(A) appropriate Federal, State, Tribal, regional, and local agencies;

(B) private landowners;

(C) nongovernmental organizations; and

(D) members of the public.

(b) DESIGNATION.—

(1) IN GENERAL.—Upon a determination that the Bigfoot National Recreation Trail is feasible and meets the requirements for a National Recreation Trail in section 1243 of title 16, United States Code, the Secretary of Agriculture shall designate the Bigfoot National Recreation Trail in accordance with—

(A) the National Trails System Act (Public Law 90–543);

(B) this title; and

(C) other applicable law (including regulations).

(2) ADMINISTRATION.—Upon designation by the Secretary of Agriculture, the Bigfoot National Recreation Trail (referred to in this section as the ''trail'') shall be administered by the Secretary of Agriculture, in consultation with—

(A) other Federal, State, Tribal, regional, and local agencies;

(B) private landowners; and

(C) other interested organizations.

(3) PRIVATE PROPERTY RIGHTS.—

(A) IN GENERAL.—No portions of the trail may be located on non-Federal land without the written consent of the landowner.

(B) PROHIBITION.—The Secretary of Agriculture shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally managed area without the consent of the owner of the land or interest in the land.

(C) EFFECT.—Nothing in this section—

(i) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

(ii) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

(c) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary of Agriculture may enter into cooperative agreements with State, Tribal, and local government entities and private entities to complete needed trail construction, reconstruction, realignment, maintenance, or education projects related to the Bigfoot National Recreation Trail.

(d) MAP.—

(1) MAP REQUIRED.—Upon designation of the Bigfoot National Recreation Trail, the Secretary of Agriculture shall prepare a map of the trail.

(2) PUBLIC AVAILABILITY.—The map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 223. ELK CAMP RIDGE RECREATION TRAIL.

(a) DESIGNATION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture after an opportunity for public comment, shall designate a trail (which may include a system of trails)—

(A) for use by off-highway vehicles or mountain bicycles, or both; and

(B) to be known as the Elk Camp Ridge Recreation Trail.

(2) REQUIREMENTS.—In designating the Elk Camp Ridge Recreation Trail (referred to in this section as the ''trail''), the Secretary shall only include trails that are—

(A) as of the date of enactment of this Act, authorized for use by off-highway vehicles or mountain bikes, or both; and

(B) located on land that is managed by the Forest Service in Del Norte County.

(3) MAP.—A map that depicts the trail shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(b) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the trail—

(A) in accordance with applicable laws (including regulations);

(B) to ensure the safety of citizens who use the trail; and

(C) in a manner by which to minimize any damage to sensitive habitat or cultural resources.

(2) MONITORING; EVALUATION.—To minimize the impacts of the use of the trail on environmental and cultural resources, the Secretary shall annually assess the effects of the use of off-highway vehicles and mountain bicycles on—

(A) the trail;

(B) land located in proximity to the trail; and

(C) plants, wildlife, and wildlife habitat.

(3) CLOSURE.—The Secretary, in consultation with the State and Del Norte County, and subject to paragraph (4), may temporarily close or permanently reroute a portion of the trail if the Secretary determines that—

(A) the trail is having an adverse impact on—

(i) wildlife habitats;

(ii) natural resources;

(iii) cultural resources; or

(iv) traditional uses;

(B) the trail threatens public safety; or

(C) closure of the trail is necessary—

(i) to repair damage to the trail; or

(ii) to repair resource damage.

(4) REROUTING.—Any portion of the trail that is temporarily closed by the Secretary under paragraph (3) may be permanently rerouted along any road or trail—

(A) that is—

(i) in existence as of the date of the closure of the portion of the trail;

(ii) located on public land; and

(iii) open to motorized or mechanized use; and

(B) if the Secretary determines that rerouting the portion of the trail would not significantly increase or decrease the length of the trail.

(5) NOTICE OF AVAILABLE ROUTES.—The Secretary shall ensure that visitors to the trail have access to adequate notice relating to the availability of trail routes through—

(A) the placement of appropriate signage along the trail; and

(B) the distribution of maps, safety education materials, and other information that the Secretary concerned determines to be appropriate.

(c) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 224. TRINITY LAKE TRAIL.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 18 months after the date of enactment of this Act, the Secretary shall study the feasibility and public interest of constructing a recreational trail for nonmotorized uses around Trinity Lake.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations, and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of the trail described in such paragraph is feasible and in the public interest, the Secretary may provide for the construction of the trail.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—The trail may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the trail.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 225. TRAILS STUDY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture, in accordance with subsection (b) and in consultation with interested parties, shall conduct a study to improve motorized and nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the portions of the Six Rivers, Shasta-Trinity, and Mendocino National Forests located in Del Norte, Humboldt, Trinity, and Mendocino Counties.

(b) CONSULTATION.—In carrying out the study required by subsection (a), the Secretary of Agriculture shall consult with the Secretary of the Interior regarding opportunities to improve, through increased coordination, recreation trail opportunities on land under the jurisdiction of the Secretary of the Interior that shares a boundary with the national forest land described in subsection (a).

SEC. 226. CONSTRUCTION OF MOUNTAIN BICYCLING ROUTES.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Agriculture shall study the feasibility and public interest of constructing recreational trails for mountain bicycling and other nonmotorized uses on the routes as generally depicted in the report entitled ''Trail Study for Smith River National Recreation Area Six Rivers National Forest'' and dated 2016.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations, and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of one or more routes described in such paragraph is feasible and in the public interest, the Secretary may provide for the construction of the routes.

(B) MODIFICATIONS.—The Secretary may modify the routes as necessary in the opinion of the Secretary.

(C) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—Routes may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the route.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 227. PARTNERSHIPS.

(a) AGREEMENTS AUTHORIZED.—The Secretary is authorized to enter into agreements with qualified private and nonprofit organizations to undertake the following activities on Federal lands in Mendocino, Humboldt, Trinity, and Del Norte Counties—

(1) trail and campground maintenance;

(2) public education, visitor contacts, and outreach; and

(3) visitor center staffing.

(b) CONTENTS.—Any agreements entered into under subsection (a) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization.

(c) COMPLIANCE.—The Secretary shall enter into agreements under subsection (a) in accordance with existing law.

(d) EFFECT.—Nothing in this section—

(1) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(2) amends or modifies the application of any existing law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle C—Conservation

SEC. 231. DESIGNATION OF WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BLACK BUTTE RIVER WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 11,117 acres, as generally depicted on the map entitled ''Black Butte River Wilderness—Proposed'' and dated April 13, 2017, which shall be known as the Black Butte River Wilderness.

(2) CHANCHELULLA WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 6,212 acres, as generally depicted on the map entitled ''Chanchelulla Wilderness Additions—Proposed'' and dated July 16, 2018, which is incorporated in, and considered to be a part of, the Chanchelulla Wilderness, as designated by section 101(a)(4) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1619).

(3) CHINQUAPIN WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 27,258 acres, as generally depicted on the map entitled ''Chinquapin Wilderness—Proposed'' and dated January 15, 2020, which shall be known as the Chinquapin Wilderness.

(4) ELKHORN RIDGE WILDERNESS ADDITION.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 37 acres, as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019, which is incorporated in, and considered to be a part of, the Elkhorn Ridge Wilderness, as designated by section 6(d) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2070).

(5) ENGLISH RIDGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 6,204 acres, as generally depicted on the map entitled ''English Ridge Wilderness—Proposed'' and dated March 29, 2019, which shall be known as the English Ridge Wilderness.

(6) HEADWATERS FOREST WILDERNESS.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 4,360 acres, as generally depicted on the map entitled ''Headwaters Forest Wilderness—Proposed'' and dated October 15, 2019, which shall be known as the Headwaters Forest Wilderness.

(7) MAD RIVER BUTTES WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 6,002 acres, as generally depicted on the map entitled ''Mad River Buttes Wilderness—Proposed'' and dated July 25, 2018, which shall be known as the Mad River Buttes Wilderness.

(8) MOUNT LASSIC WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 1,292 acres, as generally depicted on the map entitled ''Mount Lassic Wilderness Additions—Proposed'' and dated February 23, 2017, which is incorporated in, and considered to be a part of, the Mount Lassic Wilderness, as designated by section 3(6) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(9) NORTH FORK EEL WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 16,274 acres, as generally depicted on the map entitled ''North Fork Wilderness Additions'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the North Fork Eel Wilderness, as designated by section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1621).

(10) PATTISON WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 28,595 acres, as generally depicted on the map entitled ''Pattison Wilderness—Proposed'' and dated July 16, 2018, which shall be known as the Pattison Wilderness.

(11) SANHEDRIN WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 112 acres, as generally depicted on the map entitled ''Sanhedrin Wilderness Addition—Proposed'' and dated March 29, 2019, which is incorporated in, and considered to be a part of, the Sanhedrin Wilderness, as designated by section 3(2) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(12) SISKIYOU WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 27,747 acres, as generally depicted on the map entitled ''Siskiyou Wilderness Additions and Potential Wildernesses—Proposed'' and dated July 24, 2018, which is incorporated in, and considered to be a part of, the Siskiyou Wilderness, as designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(5) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(13) SOUTH FORK EEL RIVER WILDERNESS ADDITION.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 603 acres, as generally depicted on the map entitled ''South Fork Eel River Wilderness Additions—Proposed'' and dated October 24, 2019, which is incorporated in, and considered to be a part of, the South Fork Eel River Wilderness, as designated by section 3(10) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2066).

(14) SOUTH FORK TRINITY RIVER WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 26,446 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness and Potential Wildernesses—Proposed'' and dated March 11, 2019, which shall be known as the South Fork Trinity River Wilderness.

(15) TRINITY ALPS WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 60,826 acres, as generally depicted on the maps entitled ''Trinity Alps Proposed Wilderness Additions EAST'' and ''Trinity Alps Proposed Wilderness Additions WEST'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the Trinity Alps Wilderness, as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(7) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(16) UNDERWOOD WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 15,069 acres, as generally depicted on the map entitled ''Underwood Wilderness—Proposed'' and dated January 15, 2020, which shall be known as the Underwood Wilderness.

(17) YOLLA BOLLY-MIDDLE EEL WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising

approximately 10,729 acres, as generally depicted on the map entitled ''Yolla Bolly Middle Eel Wilderness Additions and Potential Wildernesses—Proposed'' and dated June 7, 2018, which is incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness, as designated by section 3 of the Wilderness Act (16 U.S.C. 1132) (as amended by section 3(4) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(18) YUKI WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 11,076 acres, as generally depicted on the map entitled ''Yuki Wilderness Additions—Proposed'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the Yuki Wilderness, as designated by section 3(3) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(b) REDESIGNATION OF NORTH FORK WILDERNESS AS NORTH FORK EEL RIVER WILDERNESS.—Section 101(a)(19) of Public Law 98–425 (16 U.S.C. 1132 note; 98 Stat. 1621) is amended by striking ''North Fork Wilderness'' and inserting ''North Fork Eel River Wilderness''. Any reference in a law, map, regulation, document, paper, or other record of the United States to the North Fork Wilderness shall be deemed to be a reference to the North Fork Eel River Wilderness.

(c) ELKHORN RIDGE WILDERNESS ADJUSTMENTS.—The boundary of the Elkhorn Ridge Wilderness established by section 6(d) of Public Law 109–362 (16 U.S.C. 1132 note) is adjusted by deleting approximately 30 acres of Federal land as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019.

SEC. 232. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas and wilderness additions established by section 231 shall be administered by the Secretary in accordance with this subtitle and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take such measures in a wilderness area or wilderness addition designated by section 231 as are necessary for the control of fire, insects, and diseases in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire and fuels management in the wilderness areas or wilderness additions designated by this title.

(3) ADMINISTRATION.—Consistent with paragraph (1) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness additions designated by this subtitle, the Secretary of Agriculture shall—

(A) not later than 1 year after the date of enactment of this Act, establish agency approval procedures (including appropriate delegations of authority to the Forest Supervisor, District Manager, or other agency officials) for responding to fire emergencies; and

(B) enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in the wilderness areas and wilderness additions designated by this title, if established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2)(A) for lands under the jurisdiction of the Secretary of Agriculture, the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617); or

(B) for lands under the jurisdiction of the Secretary of the Interior, the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities that are necessary to maintain or restore fish, wildlife, and plant populations and habitats in the wilderness areas or wilderness additions designated by section 231, if the management activities are—

(A) consistent with relevant wilderness management plans; and

(B) conducted in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) appropriate policies, such as the policies established in Appendix B of House Report 101–405.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for designation of wilderness or wilderness additions by this title to lead to the creation of protective perimeters or buffer zones around each wilderness area or wilderness addition.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

(f) MILITARY ACTIVITIES.—Nothing in this subtitle precludes—

(1) low-level overflights of military aircraft over the wilderness areas or wilderness additions designated by section 231;

(2) the designation of new units of special airspace over the wilderness areas or wilderness additions designated by section 231; or

(3) the use or establishment of military flight training routes over the wilderness areas or wilderness additions designated by section 231.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as a wilderness area or wilderness addition by section 231—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(h) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas and wilderness additions designated by section 231 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral materials and geothermal leasing laws.

(i) USE BY MEMBERS OF INDIAN TRIBES.—

(1) ACCESS.—In recognition of the past use of wilderness areas and wilderness additions designated by this title by members of Indian Tribes for traditional cultural and religious purposes, the Secretary shall ensure that Indian Tribes have access to the wilderness areas and wilderness additions designated by section 231 for traditional cultural and religious purposes.

(2) TEMPORARY CLOSURES.—

(A) IN GENERAL.—In carrying out this section, the Secretary, on request of an Indian Tribe, may temporarily close to the general public one or more specific portions of a wilderness area or wilderness addition to protect the privacy of the members of the Indian Tribe in the conduct of the traditional cultural and religious activities in the wilderness area or wilderness addition.

(B) REQUIREMENT.—Any closure under subparagraph (A) shall be made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out.

(3) APPLICABLE LAW.—Access to the wilderness areas and wilderness additions under this subsection shall be in accordance with—

(A) Public Law 95–341 (commonly known as the American Indian Religious Freedom Act) (42 U.S.C. 1996 et seq.); and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.).

(j) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area or wilderness addition designated by section 231 that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located;

(2) be withdrawn in accordance with subsection (h); and

(3) be managed in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable law.

(k) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas and wilderness additions designated by section 231 if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(l) AUTHORIZED EVENTS.—The Secretary may continue to authorize the competitive equestrian event permitted since 2012 in the Chinquapin Wilderness established by section 231 in a manner compatible with the preservation of the area as wilderness.

(m) RECREATIONAL CLIMBING.—Nothing in this title prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

SEC. 233. DESIGNATION OF POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as potential wilderness areas:

(1) Certain Federal land managed by the Forest Service, comprising approximately 3,797 acres, as generally depicted on the map entitled ''Chinquapin Proposed Potential Wilderness'' and dated January 15, 2020.

(2) Certain Federal land administered by the National Park Service, compromising approximately 31,000 acres, as generally depicted on the map entitled ''Redwood National Park—Potential Wilderness'' and dated October 9, 2019.

(3) Certain Federal land managed by the Forest Service, comprising approximately

8,961 acres, as generally depicted on the map entitled ''Siskiyou Wilderness Additions and Potential Wildernesses—Proposed'' and dated July 24, 2018.

(4) Certain Federal land managed by the Forest Service, comprising approximately 405 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness and Potential Wildernesses—Proposed'' and dated March 11, 2019.

(5) Certain Federal land managed by the Forest Service, comprising approximately 1,256 acres, as generally depicted on the map entitled ''Trinity Alps Proposed Potential Wilderness'' and dated January 15, 2020.

(6) Certain Federal land managed by the Forest Service, comprising approximately 4,282 acres, as generally depicted on the map entitled ''Yolla Bolly Middle Eel Wilderness Additions and Potential Wildernesses—Proposed'' and dated June 7, 2018.

(7) Certain Federal land managed by the Forest Service, comprising approximately 2,909 acres, as generally depicted on the map entitled ''Yuki Proposed Potential Wilderness'' and dated January 15, 2020.

(b) MANAGEMENT.—Except as provided in subsection (c) and subject to valid existing rights, the Secretary shall manage the potential wilderness areas designated by subsection (a) (referred to in this section as ''potential wilderness areas'') as wilderness until the potential wilderness areas are designated as wilderness under subsection (d).

(c) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—For purposes of ecological restoration (including the elimination of nonnative species, removal of illegal, unused, or decommissioned roads, repair of skid tracks, and any other activities necessary to restore the natural ecosystems in a potential wilderness area and consistent with paragraph (2)), the Secretary may use motorized equipment and mechanized transport in a potential wilderness area until the potential wilderness area is designated as wilderness under subsection (d).

(2) LIMITATION.—To the maximum extent practicable, the Secretary shall use the minimum tool or administrative practice necessary to accomplish ecological restoration with the least amount of adverse impact on wilderness character and resources.

(d) EVENTUAL WILDERNESS DESIGNATION.—The potential wilderness areas shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(1) the date on which the Secretary publishes in the Federal Register notice that the conditions in a potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed; or

(2) the date that is 10 years after the date of enactment of this Act for potential wilderness areas located on lands managed by the Forest Service.

(e) ADMINISTRATION AS WILDERNESS.—

(1) IN GENERAL.—On its designation as wilderness under subsection (d), a potential wilderness area shall be administered in accordance with section 232 and the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) DESIGNATION.—On its designation as wilderness under subsection (d)—

(A) the land described in subsection (a)(1) shall be incorporated in, and considered to be a part of, the Chinquapin Wilderness established by section 231(a)(3);

(B) the land described in subsection (a)(3) shall be incorporated in, and considered to be a part of, the Siskiyou Wilderness as designated by section 231(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(5) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(12));

(C) the land described in subsection (a)(4) shall be incorporated in, and considered to be a part of, the South Fork Trinity River Wilderness established by section 231(a)(14);

(D) the land described in subsection (a)(5) shall be incorporated in, and considered to be a part of, the Trinity Alps Wilderness as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(7) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(15));

(E) the land described in subsection (a)(6) shall be incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness as designated by section 3 of the Wilderness Act (16 U.S.C. 1132) (as amended by section 3(4) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(17)); and

(F) the land described in subsection (a)(7) shall be incorporated in, and considered to be a part of, the Yuki Wilderness as designated by section 3(3) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(18).

(f) REPORT.—Within 3 years after the date of enactment of this Act, and every 3 years thereafter until the date upon which the potential wilderness is designated wilderness under subsection (d), the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of ecological restoration within the potential wilderness area and the progress toward the potential wilderness area's eventual wilderness designation under subsection (d).

SEC. 234. DESIGNATION OF WILD AND SCENIC RIVERS.

Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) SOUTH FORK TRINITY RIVER.—The following segments from the source tributaries in the Yolla Bolly-Middle Eel Wilderness, to be administered by the Secretary of Agriculture:

''(A) The 18.3-mile segment from its multiple source springs in the Cedar Basin of the Yolla Bolly-Middle Eel Wilderness in section 15, T. 27 N., R. 10 W. to .25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The .65-mile segment from .25 miles upstream of Wild Mad Road to the confluence with the unnamed tributary approximately .4 miles downstream of the Wild Mad Road in section 29, T. 28 N., R. 11 W., as a scenic river.

''(C) The 9.8-mile segment from .75 miles downstream of Wild Mad Road to Silver Creek, as a wild river.

''(D) The 5.4-mile segment from Silver Creek confluence to Farley Creek, as a scenic river.

''(E) The 3.6-mile segment from Farley Creek to Cave Creek, as a recreational river.

''(F) The 5.6-mile segment from Cave Creek to the confluence of the unnamed creek upstream of Hidden Valley Ranch in section 5, T. 15, R. 7 E., as a wild river.

''(G) The 2.5-mile segment from unnamed creek confluence upstream of Hidden Valley Ranch to the confluence with the unnamed creek flowing west from Bear Wallow Mountain in section 29, T. 1 N., R. 7 E., as a scenic river.

''(H) The 3.8-mile segment from the unnamed creek confluence in section 29, T. 1 N., R. 7 E. to Plummer Creek, as a wild river.

''(I) The 1.8-mile segment from Plummer Creek to the confluence with the unnamed tributary north of McClellan Place in section 6, T. 1 N., R. 7 E., as a scenic river.

''(J) The 5.4-mile segment from the unnamed tributary confluence in section 6, T. 1 N., R. 7 E. to Hitchcock Creek, as a wild river.

''(K) The 7-mile segment from Eltapom Creek to the Grouse Creek, as a scenic river.

''(L) The 5-mile segment from Grouse Creek to Coon Creek, as a wild river.

''(232) EAST FORK SOUTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 8.4-mile segment from its source in the Pettijohn Basin in the Yolla Bolly-Middle Eel Wilderness in section 10, T. 3 S., R. 10 W. to .25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 3.4-mile segment from .25 miles upstream of the Wild Mad Road to the South Fork Trinity River, as a recreational river.

''(233) RATTLESNAKE CREEK.—The 5.9-mile segment from the confluence with the unnamed tributary in the southeast corner of section 5, T. 1 S., R. 12 W. to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a recreational river.

''(234) BUTTER CREEK.—The 7-mile segment from .25 miles downstream of the Road 3N08 crossing to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a scenic river.

''(235) HAYFORK CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 3.2-mile segment from Little Creek to Bear Creek, as a recreational river.

''(B) The 13.2-mile segment from Bear Creek to the northern boundary of section 19, T. 3 N., R. 7 E., as a scenic river.

''(236) OLSEN CREEK.—The 2.8-mile segment from the confluence of its source tributaries in section 5, T. 3 N., R. 7 E. to the northern boundary of section 24, T. 3 N., R. 6 E., to be administered by the Secretary of the Interior as a scenic river.

''(237) RUSCH CREEK.—The 3.2-mile segment from .25 miles downstream of the 32N11 Road crossing to Hayfork Creek, to be administered by the Secretary of Agriculture as a recreational river.

''(238) ELTAPOM CREEK.—The 3.4-mile segment from Buckhorn Creek to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a wild river.

''(239) GROUSE CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 3.9-mile segment from Carson Creek to Cow Creek, as a scenic river.

''(B) The 7.4-mile segment from Cow Creek to the South Fork Trinity River, as a recreational river.

''(240) MADDEN CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 6.8-mile segment from the confluence of Madden Creek and its unnamed tributary in section 18, T. 5 N., R. 5 E. to Fourmile Creek, as a wild river.

''(B) The 1.6-mile segment from Fourmile Creek to the South Fork Trinity River, as a recreational river.

''(241) CANYON CREEK.—The following segments to be administered by the Secretary of Agriculture and the Secretary of the Interior:

''(A) The 6.6-mile segment from the outlet of lower Canyon Creek Lake to Bear Creek upstream of Ripstein, as a wild river.

''(B) The 11.2-mile segment from Bear Creek upstream of Ripstein to the southern boundary of section 25, T. 34 N., R. 11 W., as a recreational river.

''(242) NORTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 12-mile segment from the confluence of source tributaries in section 24, T.

8 N., R. 12 W. to the Trinity Alps Wilderness boundary upstream of Hobo Gulch, as a wild river.

''(B) The .5-mile segment from where the river leaves the Trinity Alps Wilderness to where it fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch, as a scenic river.

''(C) The 13.9-mile segment from where the river fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch to the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing, as a wild river.

''(D) The 1.3-mile segment from the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing to the Trinity River, as a recreational river.

''(243) EAST FORK NORTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment from the river's source north of Mt. Hilton in section 19, T. 36 N., R. 10 W. to the end of Road 35N20 approximately .5 miles downstream of the confluence with the East Branch East Fork North Fork Trinity River, as a wild river.

''(B) The 3.25-mile segment from the end of Road 35N20 to .25 miles upstream of Coleridge, as a scenic river.

''(C) The 4.6-mile segment from .25 miles upstream of Coleridge to the confluence of Fox Gulch, as a recreational river.

''(244) NEW RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 12.7-mile segment of Virgin Creek from its source spring in section 22, T. 9 N., R. 7 E. to Slide Creek, as a wild river.

''(B) The 2.3-mile segment of the New River where it begins at the confluence of Virgin and Slide Creeks to Barron Creek, as a wild river.

''(245) MIDDLE EEL RIVER.—The following segment, to be administered by the Secretary of Agriculture:

''(A) The 37.7-mile segment from its source in Frying Pan Meadow to Rose Creek, as a wild river.

''(B) The 1.5-mile segment from Rose Creek to the Black Butte River, as a recreational river.

''(C) The 10.5-mile segment of Balm of Gilead Creek from its source in Hopkins Hollow to the Middle Eel River, as a wild river.

''(D) The 13-mile segment of the North Fork Middle Fork Eel River from the source on Dead Puppy Ridge in section 11, T. 26 N., R. 11 W. to the confluence of the Middle Eel River, as a wild river.

''(246) NORTH FORK EEL RIVER, CA.—The 14.3-mile segment from the confluence with Gilman Creek to the Six Rivers National Forest boundary, to be administered by the Secretary of Agriculture as a wild river.

''(247) RED MOUNTAIN CREEK, CA.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 5.25-mile segment from its source west of Mike's Rock in section 23, T. 26 N., R. 12 E. to the confluence with Littlefield Creek, as a wild river.

''(B) The 1.6-mile segment from the confluence with Littlefield Creek to the confluence with the unnamed tributary in section 32, T. 26 N., R. 8 E., as a scenic river.

''(C) The 1.25-mile segment from the confluence with the unnamed tributary in section 32, T. 4 S., R. 8 E. to the confluence with the North Fork Eel River, as a wild river.

''(248) REDWOOD CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Lacks Creek to the confluence with Coyote Creek as a scenic river on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the boundaries of the segments have been acquired in fee title to establish a manageable addition to the system.

''(B) The 19.1-mile segment from the confluence with Coyote Creek in section 2, T. 8 N., R. 2 E. to the Redwood National Park boundary upstream of Orick in section 34, T. 11 N., R. 1 E. as a scenic river.

''(C) The 2.3-mile segment of Emerald Creek (also known as Harry Weir Creek) from its source in section 29, T. 10 N., R. 2 E. to the confluence with Redwood Creek as a scenic river.

''(249) LACKS CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 5.1-mile segment from the confluence with two unnamed tributaries in section 14, T. 7 N., R. 3 E. to Kings Crossing in section 27, T. 8 N., R. 3 E. as a wild river.

''(B) The 2.7-mile segment from Kings Crossing to the confluence with Redwood Creek as a scenic river upon publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the segment have been acquired in fee title or as scenic easements to establish a manageable addition to the system.

''(250) LOST MAN CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.4-mile segment of Lost Man Creek from its source in section 5, T. 10 N., R. 2 E. to .25 miles upstream of the Prairie Creek confluence, as a recreational river.

''(B) The 2.3-mile segment of Larry Damm Creek from its source in section 8, T. 11 N., R. 2 E. to the confluence with Lost Man Creek, as a recreational river.

''(251) LITTLE LOST MAN CREEK.—The 3.6-mile segment of Little Lost Man Creek from its source in section 6, T. 10 N., R. 2 E. to .25 miles upstream of the Lost Man Creek road crossing, to be administered by the Secretary of the Interior as a wild river.

''(252) SOUTH FORK ELK RIVER.—The following segments to be administered by the Secretary of the Interior through a cooperative management agreement with the State of California:

''(A) The 3.6-mile segment of the Little South Fork Elk River from the source in section 21, T. 3 N., R. 1 E. to the confluence with the South Fork Elk River, as a wild river.

''(B) The 2.2-mile segment of the unnamed tributary of the Little South Fork Elk River from its source in section 15, T. 3 N., R. 1 E. to the confluence with the Little South Fork Elk River, as a wild river.

''(C) The 3.6-mile segment of the South Fork Elk River from the confluence of the Little South Fork Elk River to the confluence with Tom Gulch, as a recreational river.

''(253) SALMON CREEK.—The 4.6-mile segment from its source in section 27, T. 3 N., R. 1 E. to the Headwaters Forest Reserve boundary in section 18, T. 3 N., R. 1 E. to be administered by the Secretary of the Interior as a wild river through a cooperative management agreement with the State of California.

''(254) SOUTH FORK EEL RIVER.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Jack of Hearts Creek to the southern boundary of the South Fork Eel Wilderness in section 8, T. 22 N., R. 16 W., as a recreational river to be administered by the Secretary through a cooperative management agreement with the State of California.

''(B) The 6.1-mile segment from the southern boundary of the South Fork Eel Wilderness to the northern boundary of the South Fork Eel Wilderness in section 29, T. 23 N., R. 16 W., as a wild river.

''(255) ELDER CREEK.—The following segments to be administered by the Secretary of the Interior through a cooperative management agreement with the State of California:

''(A) The 3.6-mile segment from its source north of Signal Peak in section 6, T. 21 N., R. 15 W. to the confluence with the unnamed tributary near the center of section 28, T. 22 N., R. 16 W., as a wild river.

''(B) The 1.3-mile segment from the confluence with the unnamed tributary near the center of section 28, T. 22 N., R. 15 W. to the confluence with the South Fork Eel River, as a recreational river.

''(C) The 2.1-mile segment of Paralyze Canyon from its source south of Signal Peak in section 7, T. 21 N., R. 15 W. to the confluence with Elder Creek, as a wild river.

''(256) CEDAR CREEK.—The following segments to be administered as a wild river by the Secretary of the Interior:

''(A) The 7.7-mile segment from its source in section 22, T. 24 N., R. 16 W. to the southern boundary of the Red Mountain unit of the South Fork Eel Wilderness.

''(B) The 1.9-mile segment of North Fork Cedar Creek from its source in section 28, T. 24 N., R. 16 E. to the confluence with Cedar Creek.

''(257) EAST BRANCH SOUTH FORK EEL RIVER.—The following segments to be administered by the Secretary of the Interior as a scenic river on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the boundaries of the segments have been acquired in fee title or as scenic easements to establish a manageable addition to the system:

''(A) The 2.3-mile segment of Cruso Cabin Creek from the confluence of two unnamed tributaries in section 18, T. 24 N., R. 15 W. to the confluence with Elkhorn Creek.

''(B) The 1.8-mile segment of Elkhorn Creek from the confluence of two unnamed tributaries in section 22, T. 24 N., R. 16 W. to the confluence with Cruso Cabin Creek.

''(C) The 14.2-mile segment of the East Branch South Fork Eel River from the confluence of Cruso Cabin and Elkhorn Creeks to the confluence with Rays Creek.

''(D) The 1.7-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in section 2, T. 24 N., R. 17 W. to the confluence with the East Branch South Fork Eel River.

''(E) The 1.3-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in section 1, T. 24 N., R. 17 W. to the confluence with the East Branch South Fork Eel River.

''(F) The 1.8-mile segment of Tom Long Creek from the confluence with the unnamed tributary in section 12, T. 5 S., R. 4 E. to the confluence with the East Branch South Fork Eel River.

''(258) MATTOLE RIVER ESTUARY.—The 1.5-mile segment from the confluence of Stansberry Creek to the Pacific Ocean, to be administered as a recreational river by the Secretary of the Interior.

''(259) HONEYDEW CREEK.—The following segments to be administered as a wild river by the Secretary of the Interior:

''(A) The 5.1-mile segment of Honeydew Creek from its source in the southwest corner of section 25, T. 3 S., R. 1 W. to the eastern boundary of the King Range National Conservation Area in section 18, T. 3 S., R. 1 E.

''(B) The 2.8-mile segment of West Fork Honeydew Creek from its source west of North Slide Peak to the confluence with Honeydew Creek.

''(C) The 2.7-mile segment of Upper East Fork Honeydew Creek from its source in section 23, T. 3 S., R. 1 W. to the confluence with Honeydew Creek.

''(260) BEAR CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 1.9-mile segment of North Fork Bear Creek from the confluence with the unnamed tributary immediately downstream of the Horse Mountain Road crossing to the confluence with the South Fork, as a scenic river.

''(B) The 6.1-mile segment of South Fork Bear Creek from the confluence in section 2, T. 5 S., R. 1 W. with the unnamed tributary flowing from the southwest flank of Queen Peak to the confluence with the North Fork, as a scenic river.

''(C) The 3-mile segment of Bear Creek from the confluence of the North and South Forks to the southern boundary of section 11, T. 4 S., R. 1 E., as a wild river.

''(261) GITCHELL CREEK.—The 3-mile segment of Gitchell Creek from its source near Saddle Mountain to the Pacific Ocean to be administered by the Secretary of the Interior as a wild river.

''(262) BIG FLAT CREEK.—The following segments to be administered by the Secretary of the Interior as a wild river:

''(A) The 4-mile segment of Big Flat Creek from its source near King Peak in section 36, T. 3 S., R. 1 W. to the Pacific Ocean.

''(B) The .8-mile segment of the unnamed tributary from its source in section 35, T. 3 S., R. 1 W. to the confluence with Big Flat Creek.

''(C) The 2.7-mile segment of North Fork Big Flat Creek from the source in section 34, T. 3 S., R. 1 W. to the confluence with Big Flat Creek.

''(263) BIG CREEK.—The following segments to be administered by the Secretary of the Interior as wild rivers:

''(A) The 2.7-mile segment of Big Creek from its source in section 26, T. 3 S., R. 1 W. to the Pacific Ocean.

''(B) The 1.9-mile unnamed southern tributary from its source in section 25, T. 3 S., R. 1 W. to the confluence with Big Creek.

''(264) ELK CREEK.—The 11.4-mile segment from its confluence with Lookout Creek to its confluence with Deep Hole Creek, to be jointly administered by the Secretaries of Agriculture and the Interior, as a wild river.

''(265) EDEN CREEK.—The 2.7-mile segment from the private property boundary in the northwest quarter of section 27, T. 21 N., R. 12 W. to the eastern boundary of section 23, T. 21 N., R. 12 W., to be administered by the Secretary of the Interior as a wild river.

''(266) DEEP HOLE CREEK.—The 4.3-mile segment from the private property boundary in the southwest quarter of section 13, T. 20 N., R. 12 W. to the confluence with Elk Creek, to be administered by the Secretary of the Interior as a wild river.

''(267) INDIAN CREEK.—The 3.3-mile segment from 300 feet downstream of the jeep trail in section 13, T. 20 N., R. 13 W. to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.

''(268) FISH CREEK.—The 4.2-mile segment from the source at Buckhorn Spring to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.''.

SEC. 235. SANHEDRIN SPECIAL CONSERVATION MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, there is established the Sanhedrin Special Conservation Management Area (referred to in this section as the ''conservation management area''), comprising approximately 14,177 acres of Federal land administered by the Forest Service in Mendocino County, California, as generally depicted on the map entitled ''Sanhedrin Special Conservation Management Area—Proposed'' and dated April 12, 2017.

(b) PURPOSES.—The purposes of the conservation management area are to—

(1) conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, roadless, cultural, historical, natural, educational, and scientific resources of the conservation management area;

(2) protect and restore late-successional forest structure, oak woodlands and grasslands, aquatic habitat, and anadromous fisheries within the conservation management area;

(3) protect and restore the wilderness character of the conservation management area; and

(4) allow visitors to enjoy the scenic, natural, cultural, and wildlife values of the conservation management area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the conservation management area—

(A) in a manner consistent with the purposes described in subsection (b); and

(B) in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow uses of the conservation management area that the Secretary determines would further the purposes described in subsection (b).

(d) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except as provided in paragraph (3), the use of motorized vehicles in the conservation management area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of the date of enactment of this Act.

(2) NEW OR TEMPORARY ROADS.—Except as provided in paragraph (3), no new or temporary roads shall be constructed within the conservation management area.

(3) EXCEPTION.—Nothing in paragraph (1) or (2) prevents the Secretary from—

(A) rerouting or closing an existing road or trail to protect natural resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary;

(B) designating routes of travel on lands acquired by the Secretary and incorporated into the conservation management area if the designations are—

(i) consistent with the purposes described in subsection (b); and

(ii) completed, to the maximum extent practicable, within 3 years of the date of acquisition;

(C) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project carried out in accordance with subsection (e);

(D) authorizing the use of motorized vehicles for administrative purposes; or

(E) responding to an emergency.

(4) DECOMMISSIONING OF TEMPORARY ROADS.—

(A) REQUIREMENT.—The Secretary shall decommission any temporary road constructed under paragraph (3)(C) not later than 3 years after the date on which the applicable vegetation management project is completed.

(B) DEFINITION.—As used in subparagraph (A), the term ''decommission'' means—

(i) to reestablish vegetation on a road; and

(ii) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(e) TIMBER HARVEST.—

(1) IN GENERAL.—Except as provided in paragraph (2), no harvesting of timber shall be allowed within the conservation management area.

(2) EXCEPTIONS.—The Secretary may authorize harvesting of timber in the conservation management area—

(A) if the Secretary determines that the harvesting is necessary to further the purposes of the conservation management area;

(B) in a manner consistent with the purposes described in subsection (b); and

(C) subject to—

(i) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(ii) all applicable laws (including regulations).

(f) GRAZING.—The grazing of livestock in the conservation management area, where established before the date of enactment of this Act, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(B) applicable law (including regulations); and

(2) in a manner consistent with the purposes described in subsection (b).

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with this section, the Secretary may take any measures within the conservation management area that the Secretary determines to be necessary to control fire, insects, and diseases, including the coordination of those activities with a State or local agency.

(h) ACQUISITION AND INCORPORATION OF LAND AND INTERESTS IN LAND.—

(1) ACQUISITION AUTHORITY.—In accordance with applicable laws (including regulations), the Secretary may acquire any land or interest in land within or adjacent to the boundaries of the conservation management area by purchase from willing sellers, donation, or exchange.

(2) INCORPORATION.—Any land or interest in land acquired by the Secretary under paragraph (1) shall be—

(A) incorporated into, and administered as part of, the conservation management area; and

(B) withdrawn in accordance with subsection (i).

(i) WITHDRAWAL.—Subject to valid existing rights, all Federal land located in the conservation management area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patenting under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Subtitle D—Miscellaneous

SEC. 241. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the—

(1) wilderness areas and wilderness additions designated by section 231;

(2) potential wilderness areas designated by section 233;

(3) South Fork Trinity-Mad River Restoration Area;

(4) Horse Mountain Special Management Area; and

(5) Sanhedrin Special Conservation Management Area.

(b) SUBMISSION OF MAPS AND LEGAL DESCRIPTIONS.—The Secretary shall file the maps and legal descriptions prepared under subsection (a) with—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

(c) FORCE OF LAW.—The maps and legal descriptions prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the maps and legal descriptions.

(d) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subsection (a) shall be on file and available for public inspection in the appropriate offices of the Forest Service, Bureau of Land Management, and National Park Service.

SEC. 242. UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.

As soon as practicable, in accordance with applicable laws (including regulations), the Secretary shall incorporate the designations and studies required by this title into updated management plans for units covered by this title.

SEC. 243. PACIFIC GAS AND ELECTRIC COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.

(a) EFFECT OF ACT.—Nothing in this title—

(1) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Pacific Gas and Electric Company (including any predecessor or successor in interest or assign) that is located on land included in the South Fork Trinity—Mad River Restoration Area, Bigfoot National Recreation Trail, Sanhedrin Special Conservation Management Area, and Horse Mountain Special Management Area; or

(2) prohibits the upgrading or replacement of any—

(A) utility facilities of the Pacific Gas and Electric Company, including those utility facilities known on the date of enactment of this Act within the—

(i) South Fork Trinity—Mad River Restoration Area known as—

(I) Gas Transmission Line 177A or rights-of-way;

(II) Gas Transmission Line DFM 1312–02 or rights-of-way;

(III) Electric Transmission Line Bridgeville—Cottonwood 115 kV or rights-of-way;

(IV) Electric Transmission Line Humboldt—Trinity 60 kV or rights-of-way;

(V) Electric Transmission Line Humboldt—Trinity 115 kV or rights-of-way;

(VI) Electric Transmission Line Maple Creek—Hoopa 60 kV or rights-of-way;

(VII) Electric Distribution Line—Willow Creek 1101 12 kV or rights-of-way;

(VIII) Electric Distribution Line—Willow Creek 1103 12 kV or rights-of-way;

(IX) Electric Distribution Line—Low Gap 1101 12 kV or rights-of-way;

(X) Electric Distribution Line—Fort Seward 1121 12 kV or rights-of-way;

(XI) Forest Glen Border District Regulator Station or rights-of-way;

(XII) Durret District Gas Regulator Station or rights-of-way;

(XIII) Gas Distribution Line 4269C or rights-of-way;

(XIV) Gas Distribution Line 43991 or rights-of-way;

(XV) Gas Distribution Line 4993D or rights-of-way;

(XVI) Sportsmans Club District Gas Regulator Station or rights-of-way;

(XVII) Highway 36 and Zenia District Gas Regulator Station or rights-of-way;

(XVIII) Dinsmore Lodge 2nd Stage Gas Regulator Station or rights-of-way;

(XIX) Electric Distribution Line—Wildwood 1101 12kV or rights-of-way;

(XX) Low Gap Substation;

(XXI) Hyampom Switching Station; or

(XXII) Wildwood Substation;

(ii) Bigfoot National Recreation Trail known as—

(I) Gas Transmission Line 177A or rights-of-way;

(II) Electric Transmission Line Humboldt—Trinity 115 kV or rights-of-way;

(III) Electric Transmission Line Bridgeville—Cottonwood 115 kV or rights-of-way; or

(IV) Electric Transmission Line Humboldt—Trinity 60 kV or rights-of-way;

(iii) Sanhedrin Special Conservation Management Area known as, Electric Distribution Line—Willits 1103 12 kV or rights-of-way; or

(iv) Horse Mountain Special Management Area known as, Electric Distribution Line Willow Creek 1101 12 kV or rights-of-way; or

(B) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in paragraph (1).

(b) PLANS FOR ACCESS.—Not later than 1 year after the date of enactment of this subtitle or the issuance of a new utility facility right-of-way within the South Fork Trinity—Mad River Restoration Area, Bigfoot National Recreation Trail, Sanhedrin Special Conservation Management Area, and Horse Mountain Special Management Area, whichever is later, the Secretary, in consultation with the Pacific Gas and Electric Company, shall publish plans for regular and emergency access by the Pacific Gas and Electric Company to the rights-of-way of the Pacific Gas and Electric Company.

TITLE III—CENTRAL COAST HERITAGE PROTECTION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Central Coast Heritage Protection Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) SCENIC AREAS.—The term ''scenic area'' means a scenic area designated by section 308(a).

(2) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land managed by the Bureau of Land Management, the Secretary of the Interior; and

(B) with respect to land managed by the Forest Service, the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of California.

(4) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness area or wilderness addition designated by section 303(a).

SEC. 303. DESIGNATION OF WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 35,116 acres, as generally depicted on the map entitled ''Proposed Caliente Mountain Wilderness'' and dated November 13, 2019, which shall be known as the ''Caliente Mountain Wilderness''.

(2) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 13,332 acres, as generally depicted on the map entitled ''Proposed Soda Lake Wilderness'' and dated June 25, 2019, which shall be known as the ''Soda Lake Wilderness''.

(3) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 12,585 acres, as generally depicted on the map entitled ''Proposed Temblor Range Wilderness'' and dated June 25, 2019, which shall be known as the ''Temblor Range Wilderness''.

(4) Certain land in the Los Padres National Forest comprising approximately 23,670 acres, as generally depicted on the map entitled ''Chumash Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Chumash Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(5) Certain land in the Los Padres National Forest comprising approximately 54,036 acres, as generally depicted on the maps entitled ''Dick Smith Wilderness Area Additions—Proposed Map 1 of 2 (Bear Canyon and Cuyama Peak Units)'' and ''Dick Smith Wilderness Area Additions—Proposed Map 2 of 2 (Buckhorn and Mono Units)'' and dated November 14, 2019, which shall be incorporated into and managed as part of the Dick Smith Wilderness as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note).

(6) Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 7,289 acres, as generally depicted on the map entitled ''Garcia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Garcia Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(7) Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 8,774 acres, as generally depicted on the map entitled ''Machesna Mountain Wilderness—Proposed Additions'' and dated October 30, 2019, which shall be incorporated into and managed as part of the Machesna Mountain Wilderness as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note).

(8) Certain land in the Los Padres National Forest comprising approximately 30,184 acres, as generally depicted on the map entitled ''Matilija Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Matilija Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(9) Certain land in the Los Padres National Forest comprising approximately 23,969 acres, as generally depicted on the map entitled ''San Rafael Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the San Rafael Wilderness as designated by Public Law 90–271 (82 Stat. 51), the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note), and the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(10) Certain land in the Los Padres National Forest comprising approximately 2,921 acres, as generally depicted on the map entitled ''Santa Lucia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Santa Lucia Wilderness as designated by the Endangered American Wilderness Act of 1978 (Public Law 95–237; 16 U.S.C. 1132 note).

(11) Certain land in the Los Padres National Forest comprising approximately 14,313 acres, as generally depicted on the map entitled ''Sespe Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Sespe Wilderness as designated by

the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(12) Certain land in the Los Padres National Forest comprising approximately 17,870 acres, as generally depicted on the map entitled ''Diablo Caliente Wilderness Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Diablo Caliente Wilderness''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

SEC. 304. DESIGNATION OF THE MACHESNA MOUNTAIN POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Los Padres National Forest comprising approximately 2,359 acres, as generally depicted on the map entitled ''Machesna Mountain Potential Wilderness'' and dated March 29, 2019, is designated as the Machesna Mountain Potential Wilderness Area.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Machesna Mountain Potential Wilderness Area (referred to in this section as the ''potential wilderness area'') with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary shall manage the potential wilderness area in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) TRAIL USE, CONSTRUCTION, RECONSTRUCTION, AND REALIGNMENT.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary may reconstruct, realign, or reroute the Pine Mountain Trail.

(2) REQUIREMENT.—In carrying out the reconstruction, realignment, or rerouting under paragraph (1), the Secretary shall—

(A) comply with all existing laws (including regulations); and

(B) to the maximum extent practicable, use the minimum tool or administrative practice necessary to accomplish the reconstruction, realignment, or rerouting with the least amount of adverse impact on wilderness character and resources.

(3) MOTORIZED VEHICLES AND MACHINERY.—In accordance with paragraph (2), the Secretary may use motorized vehicles and machinery to carry out the trail reconstruction, realignment, or rerouting authorized by this subsection.

(4) MOTORIZED AND MECHANIZED VEHICLES.—The Secretary may permit the use of motorized and mechanized vehicles on the existing Pine Mountain Trail in accordance with existing law (including regulations) and this subsection until such date as the potential wilderness area is designated as wilderness in accordance with subsection (h).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the potential wilderness area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into cooperative agreements with State, Tribal, and local governmental entities and private entities to complete the trail reconstruction, realignment, or rerouting authorized by subsection (d).

(g) BOUNDARIES.—The Secretary shall modify the boundary of the potential wilderness area to exclude any area within 150 feet of the centerline of the new location of any trail that has been reconstructed, realigned, or rerouted under subsection (d).

(h) WILDERNESS DESIGNATION.—

(1) IN GENERAL.—The potential wilderness area, as modified under subsection (g), shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(A) the date on which the Secretary publishes in the Federal Register notice that the trail reconstruction, realignment, or rerouting authorized by subsection (d) has been completed; or

(B) the date that is 20 years after the date of enactment of this Act.

(2) ADMINISTRATION OF WILDERNESS.—On designation as wilderness under this section, the potential wilderness area shall be—

(A) incorporated into the Machesna Mountain Wilderness Area, as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note) and expanded by section 303; and

(B) administered in accordance with section 305 and the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 305. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the wilderness area.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take any measures in a wilderness area as are necessary for the control of fire, insects, and diseases in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this title limits funding for fire and fuels management in the wilderness areas.

(3) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of enactment of this Act, the Secretary shall amend the local information in the Fire Management Reference System or individual operational plans that apply to the land designated as a wilderness area.

(4) ADMINISTRATION.—Consistent with paragraph (1) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness areas, the Secretary shall enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in the wilderness areas, if established before the date of enactment of this Act, shall be permitted to continue, subject to any reasonable regulations as the Secretary considers necessary in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4));

(2) the guidelines set forth in Appendix A of House Report 101–405, accompanying H.R. 2570 of the 101st Congress for land under the jurisdiction of the Secretary of the Interior;

(3) the guidelines set forth in House Report 96–617, accompanying H.R. 5487 of the 96th Congress for land under the jurisdiction of the Secretary of Agriculture; and

(4) all other laws governing livestock grazing on Federal public land.

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities that are necessary to maintain or restore fish and wildlife populations and habitats in the wilderness areas, if the management activities are—

(A) consistent with relevant wilderness management plans;

(B) conducted in accordance with appropriate policies, such as the policies established in Appendix B of House Report 101–405; and

(C) in accordance with memoranda of understanding between the Federal agencies and the State Department of Fish and Wildlife.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for the designation of wilderness areas by this title to lead to the creation of protective perimeters or buffer zones around each wilderness area.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

(f) MILITARY ACTIVITIES.—Nothing in this title precludes—

(1) low-level overflights of military aircraft over the wilderness areas;

(2) the designation of new units of special airspace over the wilderness areas; or

(3) the use or establishment of military flight training routes over wilderness areas.

(g) HORSES.—Nothing in this title precludes horseback riding in, or the entry of recreational saddle or pack stock into, a wilderness area—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(h) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(i) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with—

(A) this section;

(B) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(C) any other applicable law.

(j) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

SEC. 306. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) INDIAN CREEK, MONO CREEK, AND MATILIJA CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) INDIAN CREEK, CALIFORNIA.—The following segments of Indian Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment of Indian Creek from its source in sec. 19, T. 7 N., R. 26 W., to the Dick Smith Wilderness boundary, as a wild river.

''(B) The 1-mile segment of Indian Creek from the Dick Smith Wilderness boundary to 0.25 miles downstream of Road 6N24, as a scenic river.

''(C) The 3.9-mile segment of Indian Creek from 0.25 miles downstream of Road 6N24 to the southern boundary of sec. 32, T. 6 N., R. 26 W., as a wild river.

''(232) MONO CREEK, CALIFORNIA.—The following segments of Mono Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 4.2-mile segment of Mono Creek from its source in sec. 1, T. 7 N., R. 26 W., to 0.25 miles upstream of Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., as a wild river.

''(B) The 2.1-mile segment of Mono Creek from 0.25 miles upstream of the Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., to 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., as a recreational river.

''(C) The 14.7-mile segment of Mono Creek from 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., to the Ogilvy Ranch private property boundary in sec. 22, T. 6 N., R. 26 W., as a wild river.

''(D) The 3.5-mile segment of Mono Creek from the Ogilvy Ranch private property boundary to the southern boundary of sec. 33, T. 6 N., R. 26 W., as a recreational river.

''(233) MATILIJA CREEK, CALIFORNIA.—The following segments of Matilija Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 7.2-mile segment of the Matilija Creek from its source in sec. 25, T. 6 N., R. 25 W., to the private property boundary in sec. 9, T. 5 N., R. 24 W., as a wild river.

''(B) The 7.25-mile segment of the Upper North Fork Matilija Creek from its source in sec. 36, T. 6 N., R. 24 W., to the Matilija Wilderness boundary, as a wild river.''.

(b) SESPE CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (142) and inserting the following:

''(142) SESPE CREEK, CALIFORNIA.—The following segments of Sespe Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 2.7-mile segment of Sespe Creek from the private property boundary in sec. 10, T. 6 N., R. 24 W., to the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., as a wild river.

''(B) The 15-mile segment of Sespe Creek from the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., to the western boundary of sec. 6, T. 5 N., R. 22 W., as a recreational river.

''(C) The 6.1-mile segment of Sespe Creek from the western boundary of sec. 6, T. 5 N., R. 22 W., to the confluence with Trout Creek, as a scenic river.

''(D) The 28.6-mile segment of Sespe Creek from the confluence with Trout Creek to the southern boundary of sec. 35, T. 5 N., R. 20 W., as a wild river.''.

(c) SISQUOC RIVER, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (143) and inserting the following:

''(143) SISQUOC RIVER, CALIFORNIA.—The following segments of the Sisquoc River and its tributaries in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 33-mile segment of the main stem of the Sisquoc River extending from its origin downstream to the Los Padres Forest boundary, as a wild river.

''(B) The 4.2-mile segment of the South Fork Sisquoc River from its source northeast of San Rafael Mountain in sec. 2, T. 7 N., R. 28 W., to its confluence with the Sisquoc River, as a wild river.

''(C) The 10.4-mile segment of Manzana Creek from its source west of San Rafael Peak in sec. 4, T. 7 N., R. 28 W., to the San Rafael Wilderness boundary upstream of Nira Campground, as a wild river.

''(D) The 0.6-mile segment of Manzana Creek from the San Rafael Wilderness boundary upstream of the Nira Campground to the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek, as a recreational river.

''(E) The 5.8-mile segment of Manzana Creek from the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek to the private property boundary in sec. 1, T. 8 N., R. 30 W., as a wild river.

''(F) The 3.8-mile segment of Manzana Creek from the private property boundary in sec. 1, T. 8 N., R. 30 W., to the confluence of the Sisquoc River, as a recreational river.

''(G) The 3.4-mile segment of Davy Brown Creek from its source west of Ranger Peak in sec. 32, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Munch Canyon, as a wild river.

''(H) The 1.4-mile segment of Davy Brown Creek from 300 feet upstream of its confluence with Munch Canyon to its confluence with Manzana Creek, as a recreational river.

''(I) The 2-mile segment of Munch Canyon from its source north of Ranger Peak in sec. 33, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Sunset Valley Creek, as a wild river.

''(J) The 0.5-mile segment of Munch Canyon from 300 feet upstream of its confluence with Sunset Valley Creek to its confluence with Davy Brown Creek, as a recreational river.

''(K) The 2.6-mile segment of Fish Creek from 500 feet downstream of Sunset Valley Road to its confluence with Manzana Creek, as a wild river.

''(L) The 1.5-mile segment of East Fork Fish Creek from its source in sec. 26, T. 8 N., R. 29 W., to its confluence with Fish Creek, as a wild river.''.

(d) PIRU CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (199) and inserting the following:

''(199) PIRU CREEK, CALIFORNIA.—The following segments of Piru Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.1-mile segment of Piru Creek from its source in sec. 3, T. 6 N., R. 22 W., to the private property boundary in sec. 4, T. 6 N., R. 21 W., as a wild river.

''(B) The 17.2-mile segment of Piru Creek from the private property boundary in sec. 4, T. 6 N., R. 21 W., to 0.25 miles downstream of the Gold Hill Road, as a scenic river.

''(C) The 4.1-mile segment of Piru Creek from 0.25 miles downstream of Gold Hill Road to the confluence with Trail Canyon, as a wild river.

''(D) The 7.25-mile segment of Piru Creek from the confluence with Trail Canyon to the confluence with Buck Creek, as a scenic river.

''(E) The 3-mile segment of Piru Creek from 0.5 miles downstream of Pyramid Dam at the first bridge crossing to the boundary of the Sespe Wilderness, as a recreational river.

''(F) The 13-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the boundary of the Sespe Wilderness, as a wild river.

''(G) The 2.2-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the upper limit of Piru Reservoir, as a recreational river.''.

(e) EFFECT.—The designation of additional miles of Piru Creek under subsection (d) shall not affect valid water rights in existence on the date of enactment of this Act.

(f) MOTORIZED USE OF TRAILS.—Nothing in this section (including the amendments made by this section) affects the motorized use of trails designated by the Forest Service for motorized use that are located adjacent to and crossing upper Piru Creek, if the use is consistent with the protection and enhancement of river values under the National Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 307. DESIGNATION OF THE FOX MOUNTAIN POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Los Padres National Forest comprising approximately 41,082 acres, as generally depicted on the map entitled ''Fox Mountain Potential Wilderness Area'' and dated November 14, 2019, is designated as the Fox Mountain Potential Wilderness Area.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of the Fox Mountain Potential Wilderness Area (referred to in this section as the ''potential wilderness area'') with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of Agriculture may correct any clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary shall manage the potential wilderness area in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) TRAIL USE CONSTRUCTION, RECONSTRUCTION, AND REALIGNMENT.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture may—

(A) construct a new trail for use by hikers, equestrians, and mechanized vehicles that connects the Aliso Park Campground to the Bull Ridge Trail; and

(B) reconstruct or realign—

(i) the Bull Ridge Trail; and

(ii) the Rocky Ridge Trail.

(2) REQUIREMENT.—In carrying out the construction, reconstruction, or alignment under paragraph (1), the Secretary shall—

(A) comply with all existing laws (including regulations); and

(B) to the maximum extent practicable, use the minimum tool or administrative practice necessary to accomplish the construction, reconstruction, or alignment with the least amount of adverse impact on wilderness character and resources.

(3) MOTORIZED VEHICLES AND MACHINERY.—In accordance with paragraph (2), the Secretary may use motorized vehicles and machinery to carry out the trail construction, reconstruction, or realignment authorized by this subsection.

(4) MECHANIZED VEHICLES.—The Secretary may permit the use of mechanized vehicles on the existing Bull Ridge Trail and Rocky Ridge Trail in accordance with existing law (including regulations) and this subsection until such date as the potential wilderness area is designated as wilderness in accordance with subsection (h).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the potential wilderness area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into cooperative agreements with State, Tribal, and local governmental entities and private entities to complete the trail construction, reconstruction, and realignment authorized by subsection (d).

(g) BOUNDARIES.—The Secretary shall modify the boundary of the potential wilderness area to exclude any area within 50 feet of the centerline of the new location of any trail that has been constructed, reconstructed, or realigned under subsection (d).

(h) WILDERNESS DESIGNATION.—

(1) IN GENERAL.—The potential wilderness area, as modified under subsection (g), shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(A) the date on which the Secretary publishes in the Federal Register notice that the trail construction, reconstruction, or alignment authorized by subsection (d) has been completed; or

(B) the date that is 20 years after the date of enactment of this Act.

(2) ADMINISTRATION OF WILDERNESS.—On designation as wilderness under this section, the potential wilderness area shall be—

(A) incorporated into the San Rafael Wilderness, as designated by Public Law 90–271 (82 Stat. 51), the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note), and the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242), and section 303; and

(B) administered in accordance with section 305 and the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 308. DESIGNATION OF SCENIC AREAS.

(a) IN GENERAL.—Subject to valid existing rights, there are established the following scenic areas:

(1) CONDOR RIDGE SCENIC AREA.—Certain land in the Los Padres National Forest comprising approximately 18,666 acres, as generally depicted on the map entitled ''Condor Ridge Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Condor Ridge Scenic Area''.

(2) BLACK MOUNTAIN SCENIC AREA.—Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 16,216 acres, as generally depicted on the map entitled ''Black Mountain Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Black Mountain Scenic Area''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and legal description of the Condor Ridge Scenic Area and Black Mountain Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of Agriculture may correct any clerical and typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(c) PURPOSE.—The purpose of the scenic areas is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the scenic areas.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall administer the scenic areas—

(A) in a manner that conserves, protects, and enhances the resources of the scenic areas, and in particular the scenic character attributes of the scenic areas; and

(B) in accordance with—

(i) this section;

(ii) the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.) for land under the jurisdiction of the Secretary of the Interior;

(iii) any laws (including regulations) relating to the National Forest System, for land under the jurisdiction of the Secretary of Agriculture; and

(iv) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow those uses of the scenic areas that the Secretary determines would further the purposes described in subsection (c).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the scenic areas is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) PROHIBITED USES.—The following shall be prohibited on the Federal land within the scenic areas:

(1) Permanent roads.

(2) Permanent structures.

(3) Timber harvesting except when necessary for the purposes described in subsection (g).

(4) Transmission lines.

(5) Except as necessary to meet the minimum requirements for the administration of the scenic areas and to protect public health and safety—

(A) the use of motorized vehicles; or

(B) the establishment of temporary roads.

(6) Commercial enterprises, except as necessary for realizing the purposes of the scenic areas.

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with this section, the Secretary may take any measures in the scenic areas that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of those activities with the State or a local agency.

(h) ADJACENT MANAGEMENT.—The fact that an otherwise authorized activity or use can be seen or heard within a scenic area shall not preclude the activity or use outside the boundary of the scenic area.

SEC. 309. CONDOR NATIONAL SCENIC TRAIL.

(a) IN GENERAL.—The contiguous trail established pursuant to this section shall be known as the ''Condor National Scenic Trail'' named after the California condor, a critically endangered bird species that lives along the extent of the trail corridor.

(b) PURPOSE.—The purposes of the Condor National Scenic Trail are to—

(1) provide a continual extended hiking corridor that connects the southern and northern portions of the Los Padres National Forest, spanning the entire length of the forest along the coastal mountains of southern and central California; and

(2) provide for the public enjoyment of the nationally significant scenic, historic, natural, and cultural qualities of the Los Padres National Forest.

(c) AMENDMENT.—Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(31) CONDOR NATIONAL SCENIC TRAIL.—

''(A) IN GENERAL.—The Condor National Scenic Trail, a trail extending approximately 400 miles from Lake Piru in the southern portion of the Los Padres National Forest to the Bottchers Gap Campground in northern portion of the Los Padres National Forest.

''(B) ADMINISTRATION.—The trail shall be administered by the Secretary of Agriculture, in consultation with—

''(i) other Federal, State, Tribal, regional, and local agencies;

''(ii) private landowners; and

''(iii) other interested organizations.

''(C) RECREATIONAL USES.—Notwithstanding section 7(c), the use of motorized vehicles on roads or trails included in the Condor National Scenic Trail on which motorized vehicles are permitted as of the date of enactment of this paragraph may be permitted.

''(D) PRIVATE PROPERTY RIGHTS.—

''(i) PROHIBITION.—The Secretary shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally managed area without the consent of the owner of land or interest in land.

''(ii) EFFECT.—Nothing in this paragraph—

''(I) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

''(II) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

''(E) REALIGNMENT.—The Secretary of Agriculture may realign segments of the Condor National Scenic Trail as necessary to fulfill the purposes of the trail.

''(F) MAP.—A map generally depicting the trail described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.''.

(d) STUDY.—

(1) STUDY REQUIRED.—Not later than 3 years after the date of enactment of this Act, in accordance with this section, the Secretary of Agriculture shall conduct a study that—

(A) addresses the feasibility of, and alternatives for, connecting the northern and southern portions of the Los Padres National Forest by establishing a trail across the applicable portions of the northern and southern Santa Lucia Mountains of the southern California Coastal Range; and

(B) considers realignment of the trail or construction of new trail segments to avoid existing trail segments that currently allow motorized vehicles.

(2) CONTENTS.—In carrying out the study required by paragraph (1), the Secretary of Agriculture shall—

(A) conform to the requirements for national scenic trail studies described in section 5(b) of the National Trails System Act (16 U.S.C. 1244(b));

(B) provide for a continual hiking route through and connecting the southern and northern sections of the Los Padres National Forest;

(C) promote recreational, scenic, wilderness and cultural values;

(D) enhance connectivity with the overall National Forest trail system;

(E) consider new connectors and realignment of existing trails;

(F) emphasize safe and continuous public access, dispersal from high-use areas, and suitable water sources; and

(G) to the extent practicable, provide all-year use.

(3) ADDITIONAL REQUIREMENT.—In completing the study required by paragraph (1), the Secretary of Agriculture shall consult with—

(A) appropriate Federal, State, Tribal, regional, and local agencies;

(B) private landowners;

(C) nongovernmental organizations; and

(D) members of the public.

(4) SUBMISSION.—The Secretary of Agriculture shall submit the study required by paragraph (1) to—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(5) ADDITIONS AND ALTERATIONS TO THE CONDOR NATIONAL SCENIC TRAIL.—

(A) IN GENERAL.—Upon completion of the study required by paragraph (1), if the Secretary of Agriculture determines that additional or alternative trail segments are feasible for inclusion in the Condor National Scenic Trail, the Secretary of Agriculture shall include those segments in the Condor National Scenic Trail.

(B) EFFECTIVE DATE.—Additions or alternations to the Condor National Scenic Trail shall be effective on the date the Secretary of Agriculture publishes in the Federal Register notice that the additional or alternative segments are included in the Condor National Scenic Trail.

(e) COOPERATIVE AGREEMENTS.—In carrying out this section (including the amendments made by this section), the Secretary of Agriculture may enter into cooperative agreements with State, Tribal, and local government entities and private entities to complete needed trail construction, reconstruction, and realignment projects authorized by this section (including the amendments made by this section).

SEC. 310. FOREST SERVICE STUDY.

Not later than 6 years after the date of enactment of this Act, the Secretary of Agriculture (acting through the Chief of the Forest Service) shall study the feasibility of opening a new trail, for vehicles measuring 50 inches or less, connecting Forest Service Highway 95 to the existing off-highway vehicle trail system in the Ballinger Canyon off-highway vehicle area.

SEC. 311. NONMOTORIZED RECREATION OPPORTUNITIES.

Not later than 6 years after the date of enactment of this Act, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the Santa Barbara, Ojai, and Mt. Pinos ranger districts.

SEC. 312. USE BY MEMBERS OF TRIBES.

(a) ACCESS.—The Secretary shall ensure that Tribes have access, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), to the wilderness areas, scenic areas, and potential wilderness areas designated by this title for traditional cultural and religious purposes.

(b) TEMPORARY CLOSURES.—

(1) IN GENERAL.—In carrying out this section, the Secretary, on request of a Tribe, may temporarily close to the general public one or more specific portions of a wilderness area, scenic area, or potential wilderness area designated by this title to protect the privacy of the members of the Tribe in the conduct of traditional cultural and religious activities.

(2) REQUIREMENT.—Any closure under paragraph (1) shall be—

(A) made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out; and

(B) be consistent with the purpose and intent of Public Law 95–341 (commonly known as the American Indian Religious Freedom Act) (42 U.S.C. 1996) and the Wilderness Act (16 U.S.C. 1131 et seq.).

TITLE IV—SAN GABRIEL MOUNTAINS FOOTHILLS AND RIVERS PROTECTION

SEC. 401. SHORT TITLE.

This title may be cited as the ''San Gabriel Mountains Foothills and Rivers Protection Act''.

SEC. 402. DEFINITION OF STATE.

In this title, the term ''State'' means the State of California.

Subtitle A—San Gabriel National Recreation Area

SEC. 411. PURPOSES.

The purposes of this subtitle are—

(1) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the Recreation Area;

(2) to provide environmentally responsible, well-managed recreational opportunities within the Recreation Area;

(3) to improve access to and from the Recreation Area;

(4) to provide expanded educational and interpretive services to increase public understanding of, and appreciation for, the natural and cultural resources of the Recreation Area;

(5) to facilitate the cooperative management of the land and resources within the Recreation Area, in collaboration with the State and political subdivisions of the State, historical, business, cultural, civic, recreational, tourism and other nongovernmental organizations, and the public; and

(6) to allow the continued use of the Recreation Area by all individuals, entities, and local government agencies in activities relating to integrated water management, flood protection, water conservation, water quality, water rights, water supply, groundwater recharge and monitoring, wastewater treatment, public roads and bridges, and utilities within or adjacent to the Recreation Area.

SEC. 412. DEFINITIONS.

In this subtitle:

(1) ADJUDICATION.—The term ''adjudication'' means any final judgment, order, ruling, or decree entered in any judicial proceeding adjudicating or affecting water rights, surface water management, or groundwater management.

(2) ADVISORY COUNCIL.—The term ''Advisory Council'' means the San Gabriel National Recreation Area Public Advisory Council established under section 417(a).

(3) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) public lands under the jurisdiction of the Secretary of the Interior; and

(B) lands under the jurisdiction of the Secretary of Defense, acting through the Chief of Engineers.

(4) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Recreation Area required under section 414(d).

(5) PARTNERSHIP.—The term ''Partnership'' means the San Gabriel National Recreation Area Partnership established by section 418(a).

(6) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given the term in 42 U.S.C. 300(f)(4) or in section 116275 of the California Health and Safety Code.

(7) RECREATION AREA.—The term ''Recreation Area'' means the San Gabriel National Recreation Area established by section 413(a).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) UTILITY FACILITY.—The term ''utility facility'' means—

(A) any electric substations, communication facilities, towers, poles, and lines, ground wires, communication circuits, and other structures, and related infrastructure; and

(B) any such facilities associated with a public water system.

(10) WATER RESOURCE FACILITY.—The term ''water resource facility'' means irrigation and pumping facilities, dams and reservoirs, flood control facilities, water conservation works, including debris protection facilities, sediment placement sites, rain gauges and stream gauges, water quality facilities, recycled water facilities, water pumping, conveyance and distribution systems, water storage tanks and reservoirs, and water treatment facilities, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.

SEC. 413. SAN GABRIEL NATIONAL RECREATION AREA.

(a) ESTABLISHMENT; BOUNDARIES.—Subject to valid existing rights, there is established as a unit of the National Park System in the State the San Gabriel National Recreation Area depicted as the ''Proposed San Gabriel National Recreation Area'' on the map entitled ''San Gabriel National Recreation Area

Proposed Boundary,'' numbered 503/152,737, and dated July 2019.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and a legal description of the Recreation Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION AND JURISDICTION.—

(1) PUBLIC LANDS.—The public lands included in the Recreation Area shall be administered by the Secretary, acting through the Director of the National Park Service.

(2) DEPARTMENT OF DEFENSE LAND.—Although certain Federal lands under the jurisdiction of the Secretary of Defense are included in the recreation area, nothing in this subtitle transfers administration jurisdiction of such Federal lands from the Secretary of Defense or otherwise affects Federal lands under the jurisdiction of the Secretary of Defense.

(3) STATE AND LOCAL JURISDICTION.—Nothing in this subtitle alters, modifies, or diminishes any right, responsibility, power, authority, jurisdiction, or entitlement of the State, a political subdivision of the State, including, but not limited to courts of competent jurisdiction, regulatory commissions, boards, and departments, or any State or local agency under any applicable Federal, State, or local law (including regulations).

SEC. 414. MANAGEMENT.

(a) NATIONAL PARK SYSTEM.—Subject to valid existing rights, the Secretary shall manage the public lands included in the Recreation Area in a manner that protects and enhances the natural resources and values of the public lands, in accordance with—

(1) this subtitle;

(2) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753 and 102101 of title 54, United States Code (formerly known as the ''National Park Service Organic Act'');

(3) the laws generally applicable to units of the National Park System; and

(4) other applicable law, regulations, adjudications, and orders.

(b) COOPERATION WITH SECRETARY OF DEFENSE.—The Secretary shall cooperate with the Secretary of Defense to develop opportunities for the management of the Federal land under the jurisdiction of the Secretary of Defense included in the Recreation Area in accordance with the purposes described in section 411, to the maximum extent practicable.

(c) TREATMENT OF NON-FEDERAL LAND.—

(1) IN GENERAL.—Nothing in this subtitle—

(A) authorizes the Secretary to take any action that would affect the use of any land not owned by the United States within the Recreation Area;

(B) affects the use of, or access to, any non-Federal land within the Recreation Area;

(C) modifies any provision of Federal, State, or local law with respect to public access to, or use of, non-Federal land;

(D) requires any owner of non-Federal land to allow public access (including Federal, State, or local government access) to private property or any other non-Federal land;

(E) alters any duly adopted land use regulation, approved land use plan, or any other regulatory authority of any State or local agency or unit of Tribal government;

(F) creates any liability, or affects any liability under any other law, of any private property owner or other owner of non-Federal land with respect to any person injured on the private property or other non-Federal land;

(G) conveys to the Partnership any land use or other regulatory authority;

(H) shall be construed to cause any Federal, State, or local regulation or permit requirement intended to apply to units of the National Park System to affect the Federal lands under the jurisdiction of the Secretary of Defense or non-Federal lands within the boundaries of the recreation area; or

(I) requires any local government to participate in any program administered by the Secretary.

(2) COOPERATION.—The Secretary is encouraged to work with owners of non-Federal land who have agreed to cooperate with the Secretary to advance the purposes of this subtitle.

(3) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this subtitle establishes any protective perimeter or buffer zone around the Recreation Area.

(B) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that an activity or use of land can be seen or heard from within the Recreation Area shall not preclude the activity or land use up to the boundary of the Recreation Area.

(4) FACILITIES.—Nothing in this subtitle affects the operation, maintenance, modification, construction, destruction, removal, relocation, improvement or expansion of any water resource facility or public water system, or any solid waste, sanitary sewer, water or waste-water treatment, groundwater recharge or conservation, hydroelectric, conveyance distribution system, recycled water facility, or utility facility located within or adjacent to the Recreation Area.

(5) EXEMPTION.—Section 100903 of title 54, United States Code, shall not apply to the Puente Hills landfill, materials recovery facility, or intermodal facility.

(d) MANAGEMENT PLAN.—

(1) DEADLINE.—Not later than 3 years after the date of the enactment of this Act, the Secretary and the Advisory Council shall establish a comprehensive management plan for the Recreation Area that supports the purposes described in section 411.

(2) USE OF EXISTING PLANS.—In developing the management plan, to the extent consistent with this section, the Secretary may incorporate any provision of a land use or other plan applicable to the public lands included in the Recreation Area.

(3) INCORPORATION OF VISITOR SERVICES PLAN.—To the maximum extent practicable, the Secretary shall incorporate into the management plan the visitor services plan under section 419(a)(2).

(4) PARTNERSHIP.—In developing the management plan, the Secretary shall consider recommendations of the Partnership. To the maximum extent practicable, the Secretary shall incorporate recommendations of the Partnership into the management plan if the Secretary determines that the recommendations are feasible and consistent with the purposes in section 411, this subtitle, and applicable laws (including regulations).

(e) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction of the State with respect to fish or wildlife located on public lands in the State.

SEC. 415. ACQUISITION OF NON-FEDERAL LAND WITHIN RECREATION AREA.

(a) LIMITED ACQUISITION AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire non-Federal land within the boundaries of the Recreation Area only through exchange, donation, or purchase from a willing seller.

(2) ADDITIONAL REQUIREMENT.—As a further condition on the acquisition of land, the Secretary shall make a determination that the land contains important biological, cultural, historic, or recreational values.

(b) PROHIBITION ON USE OF EMINENT DOMAIN.—Nothing in this subtitle authorizes the use of eminent domain to acquire land or an interest in land.

(c) TREATMENT OF ACQUIRED LAND.—Any land or interest in land acquired by the United States within the boundaries of the Recreation Area shall be—

(1) included in the Recreation Area; and

(2) administered by the Secretary in accordance with—

(A) this subtitle; and

(B) other applicable laws (including regulations).

SEC. 416. WATER RIGHTS; WATER RESOURCE FACILITIES; PUBLIC ROADS; UTILITY FACILITIES.

(a) NO EFFECT ON WATER RIGHTS.—Nothing in this subtitle or section 422—

(1) shall affect the use or allocation, as in existence on the date of the enactment of this Act, of any water, water right, or interest in water (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, groundwater, and public trust interest);

(2) shall affect any public or private contract in existence on the date of the enactment of this Act for the sale, lease, loan, or transfer of any water (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, and groundwater);

(3) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of the enactment of this Act;

(4) authorizes or imposes any new reserved Federal water right or expands water usage pursuant to any existing Federal reserved, riparian or appropriative right;

(5) shall be considered a relinquishment or reduction of any water rights (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, and groundwater) held, reserved, or appropriated by any public entity or other persons or entities, on or before the date of the enactment of this Act;

(6) shall be construed to, or shall interfere or conflict with the exercise of the powers or duties of any watermaster, public agency, public water system, court of competent jurisdiction, or other body or entity responsible for groundwater or surface water management or groundwater replenishment as designated or established pursuant to any adjudication or Federal or State law, including the management of the San Gabriel River watershed and basin, to provide water supply or other environmental benefits;

(7) shall be construed to impede or adversely impact any previously adopted Los Angeles County Drainage Area project, as described in the report of the Chief of Engineers dated June 30, 1992, including any supplement or addendum to that report, or any maintenance agreement to operate that project;

(8) shall interfere or conflict with any action by a watermaster, water agency, public water system, court of competent jurisdiction, or public agency pursuant to any Federal or State law, water right, or adjudication, including any action relating to water conservation, water quality, surface water

diversion or impoundment, groundwater recharge, water treatment, conservation or storage of water, pollution, waste discharge, the pumping of groundwater; the spreading, injection, pumping, storage, or the use of water from local sources, storm water flows, and runoff, or from imported or recycled water, that is undertaken in connection with the management or regulation of the San Gabriel River;

(9) shall interfere with, obstruct, hinder, or delay the exercise of, or access to, any water right by the owner of a public water system or any other individual or entity, including the construction, operation, maintenance, replacement, removal, repair, location, or relocation of any well; pipeline; or water pumping, treatment, diversion, impoundment, or storage facility; or other facility or property necessary or useful to access any water right or operate an public water system;

(10) shall require the initiation or reinitiation of consultation with the United States Fish and Wildlife Service under, or the application of any provision of, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) relating to any action affecting any water, water right, or water management or water resource facility in the San Gabriel River watershed and basin; or

(11) authorizes any agency or employee of the United States, or any other person, to take any action inconsistent with any of paragraphs (1) through (10).

(b) WATER RESOURCE FACILITIES.—

(1) NO EFFECT ON EXISTING WATER RESOURCE FACILITIES.—Nothing in this subtitle or section 422 shall affect—

(A) the use, operation, maintenance, repair, construction, destruction, removal, reconfiguration, expansion, improvement or replacement of a water resource facility or public water system within or adjacent to the Recreation Area or San Gabriel Mountains National Monument; or

(B) access to a water resource facility within or adjacent to the Recreation Area or San Gabriel Mountains National Monument.

(2) NO EFFECT ON NEW WATER RESOURCE FACILITIES.—Nothing in this subtitle or section 422 shall preclude the establishment of a new water resource facility (including instream sites, routes, and areas) within the Recreation Area or San Gabriel Mountains National Monument if the water resource facility or public water system is necessary to preserve or enhance the health, safety, reliability, quality or accessibility of water supply, or utility services to residents of Los Angeles County.

(3) FLOOD CONTROL.—Nothing in this subtitle or section 422 shall be construed to—

(A) impose any new restriction or requirement on flood protection, water conservation, water supply, groundwater recharge, water transfers, or water quality operations and maintenance; or

(B) increase the liability of an agency or public water system carrying out flood protection, water conservation, water supply, groundwater recharge, water transfers, or water quality operations.

(4) DIVERSION OR USE OF WATER.—Nothing in this subtitle or section 422 shall authorize or require the use of water or water rights in, or the diversion of water to, the Recreation Area or San Gabriel Mountains National Monument.

(c) UTILITY FACILITIES AND RIGHTS OF WAY.—Nothing in this subtitle or section 422 shall—

(1) affect the use, operation, maintenance, repair, construction, destruction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, removal, or replacement of a utility facility or appurtenant right-of-way within or adjacent to the Recreation Area or San Gabriel Mountains National Monument;

(2) affect access to a utility facility or right-of-way within or adjacent to the Recreation Area or San Gabriel Mountains National Monument; or

(3) preclude the establishment of a new utility facility or right-of-way (including instream sites, routes, and areas) within the Recreation Area or San Gabriel Mountains National Monument if such a facility or right-of-way is necessary for public health and safety, electricity supply, or other utility services.

(d) ROADS; PUBLIC TRANSIT.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC ROAD.—The term ''public road'' means any paved road or bridge (including any appurtenant structure and right-of-way) that is—

(i) operated or maintained by a non-Federal entity; and

(ii)(I) open to vehicular use by the public; or

(II) used by a public agency or utility for the operation, maintenance, improvement, repair, removal, relocation, construction, destruction or rehabilitation of infrastructure, a utility facility, or a right-of-way.

(B) PUBLIC TRANSIT.—The term ''public transit'' means any transit service (including operations and rights-of-way) that is—

(i) operated or maintained by a non-Federal entity; and

(ii)(I) open to the public; or

(II) used by a public agency or contractor for the operation, maintenance, repair, construction, or rehabilitation of infrastructure, a utility facility, or a right-of-way.

(2) NO EFFECT ON PUBLIC ROADS OR PUBLIC TRANSIT.—Nothing in this subtitle or section 422—

(A) authorizes the Secretary to take any action that would affect the operation, maintenance, repair, or rehabilitation of public roads or public transit (including activities necessary to comply with Federal or State safety or public transit standards); or

(B) creates any new liability, or increases any existing liability, of an owner or operator of a public road.

SEC. 417. SAN GABRIEL NATIONAL RECREATION AREA PUBLIC ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish an advisory council, to be known as the ''San Gabriel National Recreation Area Public Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise the Secretary regarding the development and implementation of the management plan and the visitor services plan.

(c) APPLICABLE LAW.—The Advisory Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) all other applicable laws (including regulations).

(d) MEMBERSHIP.—The Advisory Council shall consist of 22 members, to be appointed by the Secretary after taking into consideration recommendations of the Partnership, of whom—

(1) 2 shall represent local, regional, or national environmental organizations;

(2) 2 shall represent the interests of outdoor recreation, including off-highway vehicle recreation, within the Recreation Area;

(3) 2 shall represent the interests of community-based organizations, the missions of which include expanding access to the outdoors;

(4) 2 shall represent business interests;

(5) 1 shall represent Indian Tribes within or adjacent to the Recreation Area;

(6) 1 shall represent the interests of homeowners' associations within the Recreation Area;

(7) 3 shall represent the interests of holders of adjudicated water rights, public water systems, water agencies, wastewater and sewer agencies, recycled water facilities, and water management and replenishment entities;

(8) 1 shall represent energy and mineral development interests;

(9) 1 shall represent owners of Federal grazing permits or other land use permits within the Recreation Area;

(10) 1 shall represent archaeological and historical interests;

(11) 1 shall represent the interests of environmental educators;

(12) 1 shall represent cultural history interests;

(13) 1 shall represent environmental justice interests;

(14) 1 shall represent electrical utility interests; and

(15) 2 shall represent the affected public at large.

(e) TERMS.—

(1) STAGGERED TERMS.—A member of the Advisory Council shall be appointed for a term of 3 years, except that, of the members first appointed, 7 of the members shall be appointed for a term of 1 year and 7 of the members shall be appointed for a term of 2 years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the Advisory Council on the expiration of the term of service of the member.

(3) VACANCY.—A vacancy on the Advisory Council shall be filled in the same manner in which the original appointment was made.

(f) QUORUM.—A quorum shall be ten members of the advisory council. The operations of the advisory council shall not be impaired by the fact that a member has not yet been appointed as long as a quorum has been attained.

(g) CHAIRPERSON; PROCEDURES.—The Advisory Council shall elect a chairperson and establish such rules and procedures as the advisory council considers necessary or desirable.

(h) SERVICE WITHOUT COMPENSATION.—Members of the Advisory Council shall serve without pay.

(i) TERMINATION.—The Advisory Council shall cease to exist—

(1) on the date that is 5 years after the date on which the management plan is adopted by the Secretary; or

(2) on such later date as the Secretary considers to be appropriate.

SEC. 418. SAN GABRIEL NATIONAL RECREATION AREA PARTNERSHIP.

(a) ESTABLISHMENT.—There is established a Partnership, to be known as the ''San Gabriel National Recreation Area Partnership''.

(b) PURPOSES.—The purposes of the Partnership are to—

(1) coordinate the activities of Federal, State, Tribal, and local authorities and the private sector in advancing the purposes of this subtitle; and

(2) use the resources and expertise of each agency in improving management and recreational opportunities within the Recreation Area.

(c) MEMBERSHIP.—The Partnership shall include the following:

(1) The Secretary (or a designee) to represent the National Park Service.

(2) The Secretary of Defense (or a designee) to represent the Corps of Engineers.

(3) The Secretary of Agriculture (or a designee) to represent the Forest Service.

(4) The Secretary of the Natural Resources Agency of the State (or a designee) to represent—

(A) the California Department of Parks and Recreation; and

(B) the Rivers and Mountains Conservancy.

(5) One designee of the Los Angeles County Board of Supervisors.

(6) One designee of the Puente Hills Habitat Preservation Authority.

(7) Four designees of the San Gabriel Council of Governments, of whom one shall be selected from a local land conservancy.

(8) One designee of the San Gabriel Valley Economic Partnership.

(9) One designee of the Los Angeles County Flood Control District.

(10) One designee of the San Gabriel Valley Water Association.

(11) One designee of the Central Basin Water Association.

(12) One designee of the Main San Gabriel Basin Watermaster.

(13) One designee of a public utility company, to be appointed by the Secretary.

(14) One designee of the Watershed Conservation Authority.

(15) One designee of the Advisory Council for the period during which the Advisory Council remains in effect.

(16) One designee of San Gabriel Mountains National Monument Community Collaborative.

(d) DUTIES.—To advance the purposes described in section 411, the Partnership shall—

(1) make recommendations to the Secretary regarding the development and implementation of the management plan;

(2) review and comment on the visitor services plan under section 419(a)(2), and facilitate the implementation of that plan;

(3) assist units of local government, regional planning organizations, and nonprofit organizations in advancing the purposes of the Recreation Area by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values within the Recreation Area;

(B) establishing and maintaining interpretive exhibits and programs within the Recreation Area;

(C) developing recreational and educational opportunities in the Recreation Area in accordance with the purposes of this subtitle;

(D) increasing public awareness of, and appreciation for, natural, historic, scenic, and cultural resources of the Recreation Area;

(E) ensuring that signs identifying points of public access and sites of interest are posted throughout the Recreation Area;

(F) promoting a wide range of partnerships among governments, organizations, and individuals to advance the purposes of the Recreation Area; and

(G) ensuring that management of the Recreation Area takes into consideration—

(i) local ordinances and land-use plans; and

(ii) adjacent residents and property owners;

(4) make recommendations to the Secretary regarding the appointment of members to the Advisory Council; and

(5) carry out any other actions necessary to achieve the purposes of this subtitle.

(e) AUTHORITIES.—Subject to approval by the Secretary, for the purposes of preparing and implementing the management plan, the Partnership may use Federal funds made available under this section—

(1) to make grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide grants or technical assistance to, the State, political subdivisions of the State, nonprofit organizations, Federal agencies, and other interested parties;

(3) to hire and compensate staff;

(4) to obtain funds or services from any source, including funds and services provided under any other Federal law or program;

(5) to contract for goods or services; and

(6) to support activities of partners and any other activities that—

(A) advance the purposes of the Recreation Area; and

(B) are in accordance with the management plan.

(f) TERMS OF OFFICE; REAPPOINTMENT; VACANCIES.—

(1) TERMS.—A member of the Partnership shall be appointed for a term of 3 years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the Partnership on the expiration of the term of service of the member.

(3) VACANCY.—A vacancy on the Partnership shall be filled in the same manner in which the original appointment was made.

(g) QUORUM.—A quorum shall be 11 members of the Partnership. The operations of the Partnership shall not be impaired by the fact that a member has not yet been appointed as long as a quorum has been attained.

(h) CHAIRPERSON; PROCEDURES.—The Partnership shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(i) SERVICE WITHOUT COMPENSATION.—A member of the Partnership shall serve without compensation.

(j) DUTIES AND AUTHORITIES OF SECRETARY.—

(1) IN GENERAL.—The Secretary shall convene the Partnership on a regular basis to carry out this subtitle.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide to the Partnership or any member of the Partnership, on a reimbursable or nonreimbursable basis, such technical and financial assistance as the Secretary determines to be appropriate to carry out this subtitle.

(3) COOPERATIVE AGREEMENTS.—The Secretary may enter into a cooperative agreement with the Partnership, a member of the Partnership, or any other public or private entity to provide technical, financial, or other assistance to carry out this subtitle.

(4) CONSTRUCTION OF FACILITIES ON NON-FEDERAL LAND.—

(A) IN GENERAL.—In order to facilitate the administration of the Recreation Area, the Secretary is authorized, subject to valid existing rights, to construct administrative or visitor use facilities on land owned by a nonprofit organization, local agency, or other public entity in accordance with this title and applicable law (including regulations).

(B) ADDITIONAL REQUIREMENTS.—A facility under this paragraph may only be developed—

(i) with the consent of the owner of the non-Federal land; and

(ii) in accordance with applicable Federal, State, and local laws (including regulations) and plans.

(5) PRIORITY.—The Secretary shall give priority to actions that—

(A) conserve the significant natural, historic, cultural, and scenic resources of the Recreation Area; and

(B) provide educational, interpretive, and recreational opportunities consistent with the purposes of the Recreation Area.

(k) COMMITTEES.—The Partnership shall establish—

(1) a Water Technical Advisory Committee to advise the Secretary regarding water-related issues relating to the Recreation Area; and

(2) a Public Safety Advisory Committee to advise the Secretary regarding public safety issues relating to the Recreation Area.

SEC. 419. VISITOR SERVICES AND FACILITIES.

(a) VISITOR SERVICES.—

(1) PURPOSE.—The purpose of this subsection is to facilitate the development of an integrated visitor services plan to improve visitor experiences in the Recreation Area through expanded recreational opportunities and increased interpretation, education, resource protection, and enforcement.

(2) VISITOR SERVICES PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall develop and carry out an integrated visitor services plan for the Recreation Area in accordance with this paragraph.

(B) CONTENTS.—The visitor services plan shall—

(i) assess current and anticipated future visitation to the Recreation Area, including recreation destinations;

(ii) consider the demand for various types of recreation (including hiking, picnicking, horseback riding, and the use of motorized and mechanized vehicles), as permissible and appropriate;

(iii) evaluate the impacts of recreation on natural and cultural resources, water rights and water resource facilities, public roads, adjacent residents and property owners, and utilities within the Recreation Area, as well as the effectiveness of current enforcement and efforts;

(iv) assess the current level of interpretive and educational services and facilities;

(v) include recommendations to—

(I) expand opportunities for high-demand recreational activities, in accordance with the purposes described in section 411;

(II) better manage Recreation Area resources and improve the experience of Recreation Area visitors through expanded interpretive and educational services and facilities, and improved enforcement; and

(III) better manage Recreation Area resources to reduce negative impacts on the environment, ecology, and integrated water management activities in the Recreation Area;

(vi) in coordination and consultation with affected owners of non-Federal land, assess options to incorporate recreational opportunities on non-Federal land into the Recreation Area—

(I) in manner consistent with the purposes and uses of the non-Federal land; and

(II) with the consent of the non-Federal landowner;

(vii) assess opportunities to provide recreational opportunities that connect with adjacent National Forest System land; and

(viii) be developed and carried out in accordance with applicable Federal, State, and local laws and ordinances.

(C) CONSULTATION.—In developing the visitor services plan, the Secretary shall—

(i) consult with—

(I) the Partnership;

(II) the Advisory Council;

(III) appropriate State and local agencies; and

(IV) interested nongovernmental organizations; and

(ii) involve members of the public.

(b) VISITOR USE FACILITIES.—

(1) IN GENERAL.—The Secretary may construct visitor use facilities in the Recreation Area.

(2) REQUIREMENTS.—Each facility under paragraph (1) shall be developed in accordance with applicable Federal, State, and local—

(A) laws (including regulations); and

(B) plans.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may accept and use donated funds (subject to appropriations), property, in-kind contributions, and services to carry out this subtitle.

(2) PROHIBITION.—The Secretary may not use the authority provided by paragraph (1) to accept non-Federal land that has been acquired after the date of the enactment of this Act through the use of eminent domain.

(d) COOPERATIVE AGREEMENTS.—In carrying out this subtitle, the Secretary may make grants to, or enter into cooperative agreements with, units of State, Tribal, and local governments and private entities to conduct research, develop scientific analyses, and carry out any other initiative relating to the management of, and visitation to, the Recreation Area.

Subtitle B—San Gabriel Mountains

SEC. 421. DEFINITIONS.

In this subtitle:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) WILDERNESS AREA OR ADDITION.—The term ''wilderness area or addition'' means any wilderness area or wilderness addition designated by section 423(a).

SEC. 422. NATIONAL MONUMENT BOUNDARY MODIFICATION.

(a) IN GENERAL.—The San Gabriel Mountains National Monument established by Presidential Proclamation 9194 (54 U.S.C. 320301 note) (referred to in this section as the ''Monument'') is modified to include the approximately 109,167 acres of additional National Forest System land depicted as the ''Proposed San Gabriel Mountains National Monument Expansion'' on the map entitled ''Proposed San Gabriel Mountains National Monument Expansion'' and dated June 26, 2019.

(b) ADMINISTRATION.—The Secretary shall administer the San Gabriel Mountains National Monument, including the lands added by subsection (a), in accordance with—

(1) Presidential Proclamation 9194, as issued on October 10, 2014 (54 U.S.C. 320301 note);

(2) the laws generally applicable to the Monument; and

(3) this title.

(c) MANAGEMENT PLAN.—Within 3 years after the date of enactment of this Act, the Secretary shall consult with State and local governments and the interested public to update the existing San Gabriel Mountains National Monument Plan to provide management direction and protection for the lands added to the Monument by subsection (a).

SEC. 423. DESIGNATION OF WILDERNESS AREAS AND ADDITIONS.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of National Forest System land in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) CONDOR PEAK WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 8,207 acres, as generally depicted on the map entitled ''Condor Peak Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Condor Peak Wilderness''.

(2) SAN GABRIEL WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 2,032 acres, as generally depicted on the map entitled ''San Gabriel Wilderness Additions'' and dated June 6, 2019, which is incorporated in, and considered to be a part of, the San Gabriel Wilderness designated by Public Law 90–318 (16 U.S.C. 1132 note; 82 Stat. 131).

(3) SHEEP MOUNTAIN WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 13,726 acres, as generally depicted on the map entitled ''Sheep Mountain Wilderness Additions'' and dated June 6, 2019, which is incorporated in, and considered to be a part of, the Sheep Mountain Wilderness designated by section 101(a)(29) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623; Public Law 98–425).

(4) YERBA BUENA WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 6,694 acres, as generally depicted on the map entitled ''Yerba Buena Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Yerba Buena Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and a legal description of the wilderness areas and additions with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 424. ADMINISTRATION OF WILDERNESS AREAS AND ADDITIONS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas and additions shall be administered by the Secretary in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of the enactment of this Act.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take such measures in a wilderness area or addition designated in section 423 as are necessary for the control of fire, insects, or diseases in accordance with—

(A) section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and

(B) House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire or fuels management in a wilderness area or addition.

(3) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of the enactment of this Act, the Secretary shall amend, as applicable, any local fire management plan that applies to a wilderness area or addition designated in section 423.

(4) ADMINISTRATION.—In accordance with paragraph (1) and any other applicable Federal law, to ensure a timely and efficient response to a fire emergency in a wilderness area or addition, the Secretary shall—

(A) not later than 1 year after the date of the enactment of this Act, establish agency approval procedures (including appropriate delegations of authority to the Forest Supervisor, District Manager, or other agency officials) for responding to fire emergencies; and

(B) enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in a wilderness area or addition, if established before the date of the enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines contained in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish or wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—

(A) IN GENERAL.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activity that are necessary to maintain or restore fish or wildlife populations or habitats in the wilderness areas and wilderness additions designated in section 423, if the management activities are—

(i) consistent with relevant wilderness management plans; and

(ii) conducted in accordance with appropriate policies, such as the policies established in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(B) INCLUSIONS.—A management activity under subparagraph (A) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values while causing the minimum impact necessary to accomplish those tasks.

(C) EXISTING ACTIVITIES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and appropriate policies (such as the policies established in Appendix B of House Report 101–405), the State may use aircraft (including helicopters) in a wilderness area or addition to survey, capture, transplant, monitor, or provide water for a wildlife population, including bighorn sheep.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for the designation of wilderness areas or wilderness additions by section 423 to lead to the creation of protective perimeters or buffer zones around each wilderness area or wilderness addition.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that a nonwilderness activities or uses can be seen or heard from within a wilderness area or wilderness addition designated by section 423 shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area or addition.

(f) MILITARY ACTIVITIES.—Nothing in this title precludes—

(1) low-level overflights of military aircraft over the wilderness areas or wilderness additions designated by section 423;

(2) the designation of new units of special airspace over the wilderness areas or wilderness additions designated by section 423; or

(3) the use or establishment of military flight training routes over wilderness areas or wilderness additions designated by section 423.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as a wilderness area or wilderness addition by section 423—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to such terms and conditions as the Secretary determines to be necessary.

(h) LAW ENFORCEMENT.—Nothing in this subtitle precludes any law enforcement or drug interdiction effort within the wilderness areas or wilderness additions designated

by section 423 in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(i) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas and additions designated by section 423 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral materials and geothermal leasing laws.

(j) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area or addition that is acquired by the United States shall—

(1) become part of the wilderness area or addition in which the land is located; and

(2) be managed in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable laws (including regulations).

(k) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in a wilderness area or addition if the Secretary determines that the facilities and access to the facilities is essential to a flood warning, flood control, or water reservoir operation activity.

(l) AUTHORIZED EVENTS.—The Secretary of Agriculture may authorize the Angeles Crest 100 competitive running event to continue in substantially the same manner and degree in which this event was operated and permitted in 2015 within additions to the Sheep Mountain Wilderness in section 423 of this title and the Pleasant View Ridge Wilderness Area designated by section 1802 of the Omnibus Public Land Management Act of 2009, provided that the event is authorized and conducted in a manner compatible with the preservation of the areas as wilderness.

SEC. 425. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DESIGNATION.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) EAST FORK SAN GABRIEL RIVER, CALIFORNIA.—The following segments of the East Fork San Gabriel River, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 10-mile segment from the confluence of the Prairie Fork and Vincent Gulch to 100 yards upstream of the Heaton Flats trailhead and day use area, as a wild river.

''(B) The 2.7-mile segment from 100 yards upstream of the Heaton Flats trailhead and day use area to 100 yards upstream of the confluence with Williams Canyon, as a recreational river.

''(____) NORTH FORK SAN GABRIEL RIVER, CALIFORNIA.—The 4.3-mile segment of the North Fork San Gabriel River from the confluence with Cloudburst Canyon to 0.25 miles upstream of the confluence with the West Fork San Gabriel River, to be administered by the Secretary of Agriculture as a recreational river.

''(____) WEST FORK SAN GABRIEL RIVER, CALIFORNIA.—The following segments of the West Fork San Gabriel River, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 6.7-mile segment from 0.25 miles downstream of its source near Red Box Gap in sec. 14, T. 2 N., R. 12 W., to the confluence with the unnamed tributary 0.25 miles downstream of the power lines in sec. 22, T. 2 N., R. 11 W., as a recreational river.

''(B) The 1.6-mile segment of the West Fork from 0.25 miles downstream of the powerlines in sec. 22, T. 2 N., R. 11 W., to the confluence with Bobcat Canyon, as a wild river.

''(____) LITTLE ROCK CREEK, CALIFORNIA.—The following segments of Little Rock Creek and tributaries, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 10.3-mile segment from its source on Mt. Williamson in sec. 6, T. 3 N., R. 9 W., to 100 yards upstream of the confluence with the South Fork Little Rock Creek, as a wild river.

''(B) The 6.6-mile segment from 100 yards upstream of the confluence with the South Fork Little Rock Creek to the confluence with Santiago Canyon, as a recreational river.

''(C) The 1-mile segment of Cooper Canyon Creek from 0.25 miles downstream of Highway 2 to 100 yards downstream of Cooper Canyon Campground, as a scenic river.

''(D) The 1.3-mile segment of Cooper Canyon Creek from 100 yards downstream of Cooper Canyon Campground to the confluence with Little Rock Creek, as a wild river.

''(E) The 1-mile segment of Buckhorn Creek from 100 yards downstream of the Buckhorn Campground to its confluence with Cooper Canyon Creek, as a wild river.''.

(b) WATER RESOURCE FACILITIES; AND WATER USE.—

(1) WATER RESOURCE FACILITIES.—

(A) DEFINITION.—In this section, the term ''water resource facility'' means irrigation and pumping facilities, dams and reservoirs, flood control facilities, water conservation works and facilities, including debris protection facilities, sediment placement sites, rain gauges and stream gauges, water quality facilities, recycled water facilities and water pumping, conveyance distribution systems, water storage tanks and reservoirs, and water treatment facilities, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.

(B) NO EFFECT ON EXISTING WATER RESOURCE FACILITIES.—Nothing in this section shall alter, modify, or affect—

(i) the use, operation, maintenance, repair, construction, destruction, reconfiguration, expansion, relocation or replacement of a water resource facility downstream of a wild and scenic river segment designated by this section, provided that the physical structures of such facilities or reservoirs shall not be located within the river areas designated in this section; or

(ii) access to a water resource facility downstream of a wild and scenic river segment designated by this section.

(C) NO EFFECT ON NEW WATER RESOURCE FACILITIES.—Nothing in this section shall preclude the establishment of a new water resource facilities (including instream sites, routes, and areas) downstream of a wild and scenic river segment.

(2) LIMITATION.—Any new reservation of water or new use of water pursuant to existing water rights held by the United States to advance the purposes of the National Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) shall be for nonconsumptive instream use only within the segments designated by this section.

(3) EXISTING LAW.—Nothing in this section affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 426. WATER RIGHTS.

(a) STATUTORY CONSTRUCTION.—Nothing in this title, and no action to implement this title—

(1) shall constitute an express or implied reservation of any water or water right, or authorizing an expansion of water use pursuant to existing water rights held by the United States, with respect to the San Gabriel Mountains National Monument, the land designated as a wilderness area or wilderness addition by section 423 or land adjacent to the wild and scenic river segments designated by the amendment made by section 425;

(2) shall affect, alter, modify, or condition any water rights in the State in existence on the date of the enactment of this Act, including any water rights held by the United States;

(3) shall be construed as establishing a precedent with regard to any future wilderness or wild and scenic river designations;

(4) shall affect, alter, or modify the interpretation of, or any designation, decision, adjudication or action made pursuant to, any other Act; or

(5) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportions water among or between the State and any other State.

(b) STATE WATER LAW.—The Secretary shall comply with applicable procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the San Gabriel Mountains National Monument, wilderness areas and wilderness additions designated by section 423, and the wild and scenic rivers designated by amendment made by section 425.

TITLE V—RIM OF THE VALLEY CORRIDOR PRESERVATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Rim of the Valley Corridor Preservation Act''.

SEC. 502. BOUNDARY ADJUSTMENT; LAND ACQUISITION; ADMINISTRATION.

(a) BOUNDARY ADJUSTMENT.—Section 507(c)(1) of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk(c)(1)) is amended in the first sentence by striking '', which shall'' and inserting '' and generally depicted as 'Rim of the Valley Unit Proposed Addition' on the map entitled 'Rim of the Valley Unit—Santa Monica Mountains National Recreation Area', numbered 638/147,723, and dated September 2018. Both maps shall''.

(b) RIM OF THE VALLEY UNIT.—Section 507 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk) is amended by adding at the end the following:

''(u) RIM OF THE VALLEY UNIT.—(1) Not later than 3 years after the date of the enactment of this subsection, the Secretary shall update the general management plan for the recreation area to reflect the boundaries designated on the map referred to in subsection (c)(1) as the 'Rim of the Valley Unit' (hereafter in the subsection referred to as the 'Rim of the Valley Unit'). Subject to valid existing rights, the Secretary shall administer the Rim of the Valley Unit, and any land or interest in land acquired by the United States and located within the boundaries of the Rim of the Valley Unit, as part of the recreation area in accordance with the provisions of this section and applicable laws and regulations.

''(2) The Secretary may acquire non-Federal land within the boundaries of the Rim of the Valley Unit only through exchange, donation, or purchase from a willing seller. Nothing in this subsection authorizes the use of eminent domain to acquire land or interests in land.

''(3) Nothing in this subsection or the application of the management plan for the

Rim of the Valley Unit shall be construed to—

''(A) modify any provision of Federal, State, or local law with respect to public access to or use of non-Federal land;

''(B) create any liability, or affect any liability under any other law, of any private property owner or other owner of non-Federal land with respect to any person injured on private property or other non-Federal land;

''(C) affect the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land);

''(D) require any local government to participate in any program administered by the Secretary;

''(E) alter, modify, or diminish any right, responsibility, power, authority, jurisdiction, or entitlement of the State, any political subdivision of the State, or any State or local agency under existing Federal, State, and local law (including regulations);

''(F) require the creation of protective perimeters or buffer zones, and the fact that certain activities or land can be seen or heard from within the Rim of the Valley Unit shall not, of itself, preclude the activities or land uses up to the boundary of the Rim of the Valley Unit;

''(G) require or promote use of, or encourage trespass on, lands, facilities, and rights-of-way owned by non-Federal entities, including water resource facilities and public utilities, without the written consent of the owner;

''(H) affect the operation, maintenance, modification, construction, or expansion of any water resource facility or utility facility located within or adjacent to the Rim of the Valley Unit;

''(I) terminate the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to public agencies that are authorized pursuant to Federal or State statute;

''(J) interfere with, obstruct, hinder, or delay the exercise of any right to, or access to any water resource facility or other facility or property necessary or useful to access any water right to operate any public water or utility system;

''(K) require initiation or reinitiation of consultation with the United States Fish and Wildlife Service under, or the application of provisions of, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or division A of subtitle III of title 54, United States Code, concerning any action or activity affecting water, water rights or water management or water resource facilities within the Rim of the Valley Unit; or

''(L) limit the Secretary's ability to update applicable fire management plans, which may consider fuels management strategies including managed natural fire, prescribed fires, non-fire mechanical hazardous fuel reduction activities, or post-fire remediation of damage to natural and cultural resources.

''(4) The activities of a utility facility or water resource facility shall take into consideration ways to reasonably avoid or reduce the impact on the resources of the Rim of the Valley Unit.

''(5) For the purpose of paragraph (4)—

''(A) the term 'utility facility' means electric substations, communication facilities, towers, poles, and lines, ground wires, communications circuits, and other structures, and related infrastructure; and

''(B) the term 'water resource facility' means irrigation and pumping facilities; dams and reservoirs; flood control facilities; water conservation works, including debris protection facilities, sediment placement sites, rain gauges, and stream gauges; water quality, recycled water, and pumping facilities; conveyance distribution systems; water treatment facilities; aqueducts; canals; ditches; pipelines; wells; hydropower projects; transmission facilities; and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.''.

TITLE VI—WILD OLYMPICS WILDERNESS AND WILD AND SCENIC RIVERS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Wild Olympics Wilderness and Wild and Scenic Rivers Act''.

SEC. 602. DESIGNATION OF OLYMPIC NATIONAL FOREST WILDERNESS AREAS.

(a) IN GENERAL.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the Olympic National Forest in the State of Washington comprising approximately 126,554 acres, as generally depicted on the map entitled ''Proposed Wild Olympics Wilderness and Wild and Scenic Rivers Act'' and dated April 8, 2019 (referred to in this section as the ''map''), is designated as wilderness and as components of the National Wilderness Preservation System:

(1) LOST CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 7,159 acres, as generally depicted on the map, which shall be known as the ''Lost Creek Wilderness''.

(2) RUGGED RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,956 acres, as generally depicted on the map, which shall be known as the ''Rugged Ridge Wilderness''.

(3) ALCKEE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,787 acres, as generally depicted on the map, which shall be known as the ''Alckee Creek Wilderness''.

(4) GATES OF THE ELWHA WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,669 acres, as generally depicted on the map, which shall be known as the ''Gates of the Elwha Wilderness''.

(5) BUCKHORN WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 21,965 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Buckhorn Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(6) GREEN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 4,790 acres, as generally depicted on the map, which shall be known as the ''Green Mountain Wilderness''.

(7) THE BROTHERS WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,625 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''The Brothers Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(8) MOUNT SKOKOMISH WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,933 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Mount Skokomish Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(9) WONDER MOUNTAIN WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 26,517 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Wonder Mountain Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(10) MOONLIGHT DOME WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 9,117 acres, as generally depicted on the map, which shall be known as the ''Moonlight Dome Wilderness''.

(11) SOUTH QUINAULT RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 10,887 acres, as generally depicted on the map, which shall be known as the ''South Quinault Ridge Wilderness''.

(12) COLONEL BOB WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 353 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Colonel Bob Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(13) SAM'S RIVER WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 13,418 acres, as generally depicted on the map, which shall be known as the ''Sam's River Wilderness''.

(14) CANOE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,378 acres, as generally depicted on the map, which shall be known as the ''Canoe Creek Wilderness''.

(b) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by subsection (a) shall be administered by the Secretary of Agriculture (referred to in this section as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(2) MAP AND DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by subsection (a) with—

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate.

(B) EFFECT.—Each map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map and legal description.

(C) PUBLIC AVAILABILITY.—Each map and legal description filed under subparagraph (A) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(c) POTENTIAL WILDERNESS.—

(1) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Forest Service, comprising approximately 5,346 acres as identified as ''Potential Wilderness'' on the map, is designated as potential wilderness.

(2) DESIGNATION AS WILDERNESS.—On the date on which the Secretary publishes in the Federal Register notice that any nonconforming uses in the potential wilderness designated by paragraph (1) have terminated, the potential wilderness shall be—

(A) designated as wilderness and as a component of the National Wilderness Preservation System; and

(B) incorporated into the adjacent wilderness area.

(d) ADJACENT MANAGEMENT.—

(1) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—The designations in this section shall not create a protective perimeter or buffer zone around any wilderness area.

(2) NONCONFORMING USES PERMITTED OUTSIDE OF BOUNDARIES OF WILDERNESS AREAS.—Any activity or use outside of the boundary of any wilderness area designated under this section shall be permitted even if the activity or use would be seen or heard within the boundary of the wilderness area.

(e) FIRE, INSECTS, AND DISEASES.—The Secretary may take such measures as are necessary to control fire, insects, and diseases, in the wilderness areas designated by this section, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and subject to such terms and conditions as the Secretary determines to be appropriate.

SEC. 603. WILD AND SCENIC RIVER DESIGNATIONS.

(a) IN GENERAL.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) ELWHA RIVER, WASHINGTON.—The approximately 29.0-mile segment of the Elwha River and tributaries from the source to Cat Creek, to be administered by the Secretary of the Interior as a wild river.

''(232) DUNGENESS RIVER, WASHINGTON.—The segment of the Dungeness River from the headwaters to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments of the mainstem and major tributary the Gray Wolf River, in the following classes:

''(A) The approximately 5.8-mile segment of the Dungeness River from the headwaters to the 2870 Bridge, as a wild river.

''(B) The approximately 2.1-mile segment of the Dungeness River from the 2870 Bridge to Silver Creek, as a scenic river.

''(C) The approximately 2.7-mile segment of the Dungeness River from Silver Creek to Sleepy Hollow Creek, as a wild river.

''(D) The approximately 6.3-mile segment of the Dungeness River from Sleepy Hollow Creek to the Olympic National Forest boundary, as a scenic river.

''(E) The approximately 1.9-mile segment of the Dungeness River from the National Forest boundary to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(F) The approximately 16.1-mile segment of the Gray Wolf River from the headwaters to the 2870 Bridge, as a wild river.

''(G) The approximately 1.1-mile segment of the Gray Wolf River from the 2870 Bridge to the confluence with the Dungeness River, as a scenic river.

''(233) BIG QUILCENE RIVER, WASHINGTON.—The segment of the Big Quilcene River from the headwaters to the City of Port Townsend water intake facility, to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 4.4-mile segment from the headwaters to the Buckhorn Wilderness boundary, as a wild river.

''(B) The approximately 5.3-mile segment from the Buckhorn Wilderness boundary to the City of Port Townsend water intake facility, as a scenic river.

''(C) Section 7(a), with respect to the licensing of dams, water conduits, reservoirs, powerhouses, transmission lines, or other project works, shall apply to the approximately 5-mile segment from the City of Port Townsend water intake facility to the Olympic National Forest boundary.

''(234) DOSEWALLIPS RIVER, WASHINGTON.—The segment of the Dosewallips River from the headwaters to the private land in T. 26 N., R. 3 W., sec. 15, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 12.9-mile segment from the headwaters to Station Creek, as a wild river.

''(B) The approximately 6.8-mile segment from Station Creek to the private land in T. 26 N., R. 3 W., sec. 15, as a scenic river.

''(235) DUCKABUSH RIVER, WASHINGTON.—The segment of the Duckabush River from the headwaters to the private land in T. 25 N., R. 3 W., sec. 1, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 19.0-mile segment from the headwaters to the Brothers Wilderness boundary, as a wild river.

''(B) The approximately 1.9-mile segment from the Brothers Wilderness boundary to the private land in T. 25 N., R. 3 W., sec. 1, as a scenic river.

''(236) HAMMA HAMMA RIVER, WASHINGTON.—The segment of the Hamma Hamma River from the headwaters to the eastern edge of the NW1/4 sec. 21, T. 24 N., R. 3 W., to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 3.1-mile segment from the headwaters to the Mt. Skokomish Wilderness boundary, as a wild river.

''(B) The approximately 5.8-mile segment from the Mt. Skokomish Wilderness boundary to Lena Creek, as a scenic river.

''(C) The approximately 6.8-mile segment from Lena Creek to the eastern edge of the NW1/4 sec. 21, T. 24 N., R. 3 W., to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(237) SOUTH FORK SKOKOMISH RIVER, WASHINGTON.—The segment of the South Fork Skokomish River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 6.7-mile segment from the headwaters to Church Creek, as a wild river.

''(B) The approximately 8.3-mile segment from Church Creek to LeBar Creek, as a scenic river.

''(C) The approximately 4.0-mile segment from LeBar Creek to upper end of gorge in the NW1/4 sec. 22, T. 22 N., R. 5 W., as a recreational river.

''(D) The approximately 6.0-mile segment from the upper end of the gorge to the Olympic National Forest boundary, as a scenic river.

''(238) MIDDLE FORK SATSOP RIVER, WASHINGTON.—The approximately 7.9-mile segment of the Middle Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(239) WEST FORK SATSOP RIVER, WASHINGTON.—The approximately 8.2-mile segment of the West Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(240) WYNOOCHEE RIVER, WASHINGTON.—The segment of the Wynoochee River from the headwaters to the head of Wynoochee Reservoir to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 2.5-mile segment from the headwaters to the boundary of the Wonder Mountain Wilderness, as a wild river.

''(B) The approximately 7.4-mile segment from the boundary of the Wonder Mountain Wilderness to the head of Wynoochee Reservoir, as a recreational river.

''(241) EAST FORK HUMPTULIPS RIVER, WASHINGTON.—The segment of the East Fork Humptulips River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 7.4-mile segment from the headwaters to the Moonlight Dome Wilderness boundary, as a wild river.

''(B) The approximately 10.3-mile segment from the Moonlight Dome Wilderness boundary to the Olympic National Forest boundary, as a scenic river.

''(242) WEST FORK HUMPTULIPS RIVER, WASHINGTON.—The approximately 21.4-mile segment of the West Fork Humptulips River from the headwaters to the Olympic National Forest Boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(243) QUINAULT RIVER, WASHINGTON.—The segment of the Quinault River from the headwaters to private land in T. 24 N., R. 8 W., sec. 33, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 16.5-mile segment from the headwaters to Graves Creek, as a wild river.

''(B) The approximately 6.7-mile segment from Graves Creek to Cannings Creek, as a scenic river.

''(C) The approximately 1.0-mile segment from Cannings Creek to private land in T. 24 N., R. 8 W., sec. 33, as a recreational river.

''(244) QUEETS RIVER, WASHINGTON.—The segment of the Queets River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, except that portions of the river outside the boundaries of Olympic National Park shall be administered by the Secretary of Agriculture, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 28.6-mile segment of the Queets River from the headwaters to the confluence with Sams River, as a wild river.

''(B) The approximately 16.0-mile segment of the Queets River from the confluence with Sams River to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 15.7-mile segment of the Sams River from the headwaters to the confluence with the Queets River, as a scenic river.

''(D) The approximately 17.7-mile segment of Matheny Creek from the headwaters to the confluence with the Queets River, to be administered as a scenic river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(245) HOH RIVER, WASHINGTON.—The segment of the Hoh River and the major tributary South Fork Hoh from the headwaters to

Olympic National Park boundary, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 20.7-mile segment of the Hoh River from the headwaters to Jackson Creek, as a wild river.

''(B) The approximately 6.0-mile segment of the Hoh River from Jackson Creek to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 13.8-mile segment of the South Fork Hoh River from the headwaters to the Olympic National Park boundary, as a wild river.

''(D) The approximately 4.6-mile segment of the South Fork Hoh River from the Olympic National Park boundary to the Washington State Department of Natural Resources boundary in T. 27 N., R. 10 W., sec. 29, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(246) BOGACHIEL RIVER, WASHINGTON.—The approximately 25.6-mile segment of the Bogachiel River from the source to the Olympic National Park boundary, to be administered by the Secretary of the Interior, as a wild river.

''(247) SOUTH FORK CALAWAH RIVER, WASHINGTON.—The segment of the South Fork Calawah River and the major tributary Sitkum River from the headwaters to Hyas Creek to be administered by the Secretary of Agriculture, except those portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments in the following classes:

''(A) The approximately 15.7-mile segment of the South Fork Calawah River from the headwaters to the Sitkum River, as a wild river.

''(B) The approximately 0.9-mile segment of the South Fork Calawah River from the Sitkum River to Hyas Creek, as a scenic river.

''(C) The approximately 1.6-mile segment of the Sitkum River from the headwaters to the Rugged Ridge Wilderness boundary, as a wild river.

''(D) The approximately 11.9-mile segment of the Sitkum River from the Rugged Ridge Wilderness boundary to the confluence with the South Fork Calawah, as a scenic river.

''(248) SOL DUC RIVER, WASHINGTON.—The segment of the Sol Duc River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 7.0-mile segment of the Sol Duc River from the headwaters to the end of Sol Duc Hot Springs Road, as a wild river.

''(B) The approximately 10.8-mile segment of the Sol Duc River from the end of Sol Duc Hot Springs Road to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 14.2-mile segment of the North Fork Sol Duc River from the headwaters to the Olympic Hot Springs Road bridge, as a wild river.

''(D) The approximately 0.2-mile segment of the North Fork Sol Duc River from the Olympic Hot Springs Road bridge to the confluence with the Sol Duc River, as a scenic river.

''(E) The approximately 8.0-mile segment of the South Fork Sol Duc River from the headwaters to the confluence with the Sol Duc River, as a scenic river.

''(249) LYRE RIVER, WASHINGTON.—The approximately 0.2-mile segment of the Lyre River from Lake Crescent to the Olympic National Park boundary, to be administered by the Secretary of the Interior as a scenic river.''.

(b) EFFECT.—The amendment made by subsection (a) does not affect valid existing water rights.

(c) UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 3 years after the date of the enactment of this Act, the Secretary of Agriculture shall, with respect to the designations made under subsection (a) on lands under the jurisdiction of the Secretary, incorporate such designations into updated management plans for units of the National Forest System in accordance with applicable laws (including regulations).

(2) EXCEPTION.—The date specified in paragraph (1) shall be 5 years after the date of the enactment of this Act if the Secretary of Agriculture—

(A) is unable to meet the requirement under such paragraph by the date specified in such paragraph; and

(B) not later than 3 years after the date of the enactment of this Act, includes in the Department of Agriculture annual budget submission to Congress a request for additional sums as may be necessary to meet the requirement of such paragraph.

(3) COMPREHENSIVE MANAGEMENT PLAN REQUIREMENTS.—Updated management plans under paragraph (1) or (2) satisfy the requirements under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

SEC. 604. EXISTING RIGHTS AND WITHDRAWAL.

(a) IN GENERAL.—In accordance with section 12(b) of the National Wild and Scenic Rivers Act (16 U.S.C. 1283(b)), nothing in this title or the amendment made by section 603(a) affects or abrogates existing rights, privileges, or contracts held by private parties, nor does this title in any way modify or direct the management, acquisition, or disposition of lands managed by the Washington Department of Natural Resources on behalf of the State of Washington.

(b) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by this title and the amendment made by section 603(a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 605. TREATY RIGHTS.

Nothing in this title alters, modifies, diminishes, or extinguishes the reserved treaty rights of any Indian tribe with hunting, fishing, gathering, and cultural or religious rights in the Olympic National Forest as protected by a treaty.

TITLE VII—STUDY ON FLOOD RISK MITIGATION

SEC. 701. STUDY ON FLOOD RISK MITIGATION.

The Comptroller General shall conduct a study to determine the contributions of wilderness designations under this division to protections to flood risk mitigation in residential areas.

TITLE VIII—MISCELLANEOUS

SEC. 801. PROMOTING HEALTH AND WELLNESS FOR VETERANS AND SERVICEMEMBERS.

The Secretary of Interior and the Secretary of Agriculture are encouraged to ensure servicemember and veteran access to public lands designed by this division for the purposes of outdoor recreation and to participate in outdoor-related volunteer and wellness programs.

SEC. 802. FIRE, INSECTS, AND DISEASES.

Nothing in this division may be construed to limit the authority of the Secretary of the Interior or the Secretary of Agriculture under section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), in accordance with existing laws (including regulations).

SEC. 803. MILITARY ACTIVITIES.

Nothing in this division precludes—

(1) low-level overflights of military aircraft over wilderness areas;

(2) the designation of new units of special airspace over wilderness areas; or

(3) the establishment of military flight training routes over wilderness areas.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentlewoman from Colorado (Ms. DEGETTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I rise today in support of my amendment, which would add the text of the Protecting America's Wilderness Act to this year's NDAA.

The purpose behind this amendment is simple. It is to protect more of America's public lands and to ensure that our Nation's most elite military pilots have the opportunity to train for some of the harshest environments on the planet.

This legislation, which has already passed in the House earlier this year, would permanently protect more than 1.3 million acres of public land across Colorado, California, and Washington. It includes Representative HUFFMAN's language to protect lands in northwest California; Representative CARBAJAL, to protect lands in central California; and Representative CHU, to expand the San Gabriel Mountains National Monument. It includes legislation by Representative SCHIFF to protect lands by the Santa Monica Mountains National Recreation Area and legislation by Representative KILMER to protect lands in Washington State's Olympic Peninsula.

Finally, it includes legislation that I have worked on for over 20 years to protect more than 600,000 acres in Colorado and to ensure that key military areas, like the High Altitude Aviation Training Site, or HAATS, is able to continue its mission unencumbered.

The designations in this amendment are the product of decades of work and have garnered widespread support across the West. They are designed to help protect these lands from the threat of future development, provide a boost to our States' economies, and ensure our military has the space it needs to train.

Mr. Speaker, I urge Members to vote ''yes'' on the amendment, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this amendment to add a package of divisive and unrelated partisan land bills to the NDAA.

First of all, this amendment has nothing to do with national defense. It is a travesty that the majority has jammed these issues together. Collectively, this package of ideologically driven bills impacts lands in Colorado, California, and Washington by creating about 1.3 million acres of new wilderness. But this will greatly reduce opportunities for multiple uses on these public lands, limit access to them, and significantly reduce the available productive acreage in working forests, rendering them more prone to catastrophic wildfires.

In Colorado alone, this would designate about 570,000 acres of new wilderness areas, 23,000 acres of expanded wilderness, and 14,000 areas of potential wilderness, whatever ''potential wilderness'' is. This is in a State where we have 3½ million acres of wilderness right now.

While I commend my colleague from Colorado for her attempts to work with local stakeholders to address some of their concerns, none of the bills in this package comes close to the type of balance and consensus necessary for a bill of this magnitude. Many of the local communities impacted by this package have raised significant concerns.

Now, you know, look, I love public lands, as does the sponsor of this legislation. My wife and I hiked a national park in Moab last week. While wilderness sounds good to the uninformed, it really means that most people will forever lose access to those lands.

Local communities have many concerns with this bill. At the July subcommittee hearing on this bill, we heard testimony from Montezuma County Commissioner Keenan Ertel, who shared the county's concern that this bill would negatively impact individual landowners, agricultural entities, water providers, first responders, and especially the recreation and tourism industry. Garfield County has also weighed in against this bill because of the increased wildfire risk.

In addition to the local grievances, the affected Federal land management agencies have stated that this bill is inconsistent with previous designations and existing land uses because it arbitrarily adds wilderness areas and wild and scenic river designations where those designations are simply not supported.

Now, actually, there is one connection to national defense, and that is a negative one. By designating the High Altitude Aviation Training Site, or HAATS, as being within a wilderness area, it won't be able to expand if and when future vertical lift platforms come online. Future platforms will fly higher, farther, and faster, and they will need more space, and this amendment prevents that.

Because of all these concerns, the Trump administration rightly issued a veto threat against this bill when it first came up to the House in February.

I ask my colleagues to oppose this amendment.

Mr. Speaker, I reserve the balance of my time.

□ 1545

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUFFMAN), a key sponsor of this amendment.

Mr. HUFFMAN. Mr. Speaker, I thank the gentlewoman for yielding.

My friend across the aisle who is so concerned about not having environmental policy in the NDAA certainly showed no concern in prior years when bad environmental policy was made against protections for prairie chicken and sage-grouse in the NDAA. Today, we can make some good environmental policy.

These bills are familiar to us because they passed with broad support; they are well-vetted; and they include my Northwest California Wilderness, Recreation, and Working Forests Act, which will protect 380,000 acres of new wilderness, designate 480 miles of wild scenic river, and includes an ambitious restoration plan to improve forest health, promote fire resiliency, and expand outdoor recreation.

These are good bills. They deserve our support.

Mr. LAMBORN. Mr. Speaker, I would just like to say to my colleague from California that at least the sage-grouse amendments in the past had something to do with national defense. These were next to military areas that impacted readiness. This amendment has nothing to do with national defense.

Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Colorado has 1¾ minutes remaining.

Mr. LAMBORN. Mr. Speaker, I yield the balance of my time to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the amendment today will do exactly the opposite of what we are trying to accomplish. This bill is not going to be able to strengthen the national defense. My colleague's amendment would directly threaten the high altitude military training aviation site that is critical to the readiness of our armed services and to the national security of the U.S.

Additionally, it would make the United States even more reliant on China for critical strategic minerals.

Our goals should be to enact policies that will support readiness and a sustainable and secure supply chain for critical minerals. This amendment is in direct conflict to those goals.

My district is home to the national-level asset, the High Altitude Army National Guard Aviation Training Site, or HAATS. The life-saving training acquired at HAATS is vital to the military's success and readiness of our Nation.

My good friend from Colorado's amendment seeks to establish five wilderness areas within the HAATS training area either immediately or in the future through a new, unprecedented land designation mechanism that the sponsor is calling ''potential wilderness.''

When this legislation was debated before the committee, no one from DOD or the National Guard Bureau, let alone the Colorado National Guard, was given the chance to testify on the legislation's potential effects on readiness. Therefore, it would be completely unacceptable to include this legislation in the 2021 National Defense Authorization.

In addition, this amendment further deepens our Nation's concerning dependence on Communist China for critical minerals. The U.S. is 100 percent import reliant on 14 minerals on the critical minerals list and 75 percent import reliant on an additional 10.

This map prepared by U.S. Geological Survey shows the critical mineral deposit occurrences in Colorado. The area identified as Colorado Mineral Belt, which spans from Boulder down through Gunnison County and all the way into the Four Corners area, contains minerals on which the U.S. is import reliant.

I urge opposition to this bill and inclusion into the NDAA.

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SCHIFF), another key sponsor of this amendment.

Mr. SCHIFF. Mr. Speaker, I thank the gentlewoman from Colorado for yielding. I rise in strong support of amendment 659, the Protecting America's Wilderness Act. This amendment includes the Rim of the Valley Corridor Preservation Act legislation I have been working on for nearly 20 years.

I first took up the study bill when George W. Bush was President. We got that passed in a Republican House and signed into law. During the course of the Obama administration, we got the study funded and conducted.

Thousands and thousands of people commented during the public survey period overwhelmingly in favor of the most aggressive option of tripling the size of the park. Ultimately, the Park Service recommended doubling the acreage in the Santa Monica Mountains National Recreation Area. This bill would make that law.

Twenty years is a long enough time to be pursuing this to finally bring it to completion. This will help us preserve wildlife corridors, rare ecosystems, hiking trails, and recreational opportunities.

As Los Angeles expands, this proximity to nature is what so many people love about it. We love how we have lions roaming our hills. We have beautiful bears coming into people's garages to eat Ikea meatballs, all possible because we preserve this open space.

Mr. Speaker, I urge passage.

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU), another key sponsor of this amendment.

Ms. JUDY CHU of California. Mr. Speaker, I rise in strong support of this amendment, which includes the text of my legislation, the San Gabriel Mountains Foothills and Rivers Protection Act.

The San Gabriel Mountains provide 30 percent of southern California's water, comprise 70 percent of L.A. County's open space, and are easily accessible to more than 15 million Americans. But still, the L.A. County region is amongst the most park-poor in the country, with too many communities lacking access to outdoor recreation opportunities in their own neighborhoods.

By creating the San Gabriel Mountains national recreation area by building on the progress made by the establishment of the San Gabriel Mountains National Monument, by designating new wilderness and wild rivers, this amendment will provide outdoor recreation opportunities to millions, improving their health and well-being.

I urge my colleagues to join me in strong support of this amendment.

Ms. DEGETTE. Mr. Speaker, I yield myself the balance of my time.

Let me just set the record straight. These types of bills have been included in the NDAA for generations by Republicans and Democrats. In this case, it is particularly urgent because, as I said, and you even heard my colleagues on the other side say, HAATS is included. This clarifies HAATS laws, and it makes clear that they can be used.

There is one group of people that is the most important to decide about wilderness, and that is the public. Two-thirds of the people on the western slope of Colorado want more wilderness. These areas are all wilderness study areas now. Let's keep them for future generations.

Mr. Speaker, I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAMBORN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 8 OFFERED BY MR. NEGUSE

The SPEAKER pro tempore. It is now in order to consider amendment No. 8 printed in House Report 116–457.

Mr. NEGUSE. Mr. Speaker, I rise today in support of the amendment, which would amend H.R. 6395.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1242, after line 21, insert the following:

SEC. 2846. GRAND CANYON CENTENNIAL PROTECTION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Grand Canyon Centennial Protection Act''.

(b) WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE STATE OF ARIZONA.—

(1) DEFINITION OF MAP.—In this section, the term ''Map'' means the map prepared by the Bureau of Land Management entitled ''Grand Canyon Centennial Protection Act'' and dated July 11, 2019.

(2) WITHDRAWAL.—Subject to valid existing rights, the approximately 1,006,545 acres of Federal land in the State of Arizona, generally depicted on the Map as ''Federal Mineral Estate to be Withdrawn'', including any land or interest in land that is acquired by the United States after the date of the enactment of this section, are hereby withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(3) AVAILABILITY OF MAP.—The Map shall be kept on file and made available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

Page 1455, after line 25, insert the following:

DIVISION F—COLORADO OUTDOOR RECREATION AND ECONOMY ACT

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Colorado Outdoor Recreation and Economy Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION F—COLORADO OUTDOOR RECREATION AND ECONOMY ACT

Sec. 6001. Short title; table of contents.
Sec. 6002. Definition of State.

TITLE I—CONTINENTAL DIVIDE

Sec. 6101. Definitions.
Sec. 6102. Colorado Wilderness additions.
Sec. 6103. Williams Fork Mountains Wilderness.
Sec. 6104. Tenmile Recreation Management Area.
Sec. 6105. Porcupine Gulch Wildlife Conservation Area.
Sec. 6106. Williams Fork Mountains Wildlife Conservation Area.
Sec. 6107. Camp Hale National Historic Landscape.
Sec. 6108. White River National Forest Boundary modification.
Sec. 6109. Rocky Mountain National Park Potential Wilderness Boundary adjustment.
Sec. 6110. Administrative provisions.

TITLE II—SAN JUAN MOUNTAINS

Sec. 6201. Definitions.
Sec. 6202. Additions to National Wilderness Preservation System.
Sec. 6203. Special management areas.
Sec. 6204. Release of wilderness study areas.
Sec. 6205. Administrative provisions.

TITLE III—THOMPSON DIVIDE

Sec. 6301. Purposes.
Sec. 6302. Definitions.
Sec. 6303. Thompson Divide Withdrawal and Protection Area.
Sec. 6304. Thompson Divide lease exchange.
Sec. 6305. Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program.
Sec. 6306. Effect.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

Sec. 6401. Definitions.
Sec. 6402. Curecanti National Recreation Area.
Sec. 6403. Acquisition of land; boundary management.
Sec. 6404. General management plan.
Sec. 6405. Boundary survey.

SEC. 6002. DEFINITION OF STATE.

In this division, the term ''State'' means the State of Colorado.

TITLE I—CONTINENTAL DIVIDE

SEC. 6101. DEFINITIONS.

In this title:

(1) COVERED AREA.—The term ''covered area'' means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 6102(a).

(2) HISTORIC LANDSCAPE.—The term ''Historic Landscape'' means the Camp Hale National Historic Landscape designated by section 6107(a).

(3) RECREATION MANAGEMENT AREA.—The term ''Recreation Management Area'' means the Tenmile Recreation Management Area designated by section 6104(a).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) WILDLIFE CONSERVATION AREA.—The term ''Wildlife Conservation Area'' means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 6105(a); and

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 6106(a).

SEC. 6102. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking ''1993,'' and inserting ''1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as 'Proposed Ptarmigan Peak Wilderness Additions' on the map entitled 'Proposed Ptarmigan Peak Wilderness Additions' and dated June 24, 2019,''; and

(2) by adding at the end the following:

''(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as 'Proposed Megan Dickie Wilderness Addition' on the map entitled 'Holy Cross Wilderness Addition Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

''(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as 'Proposed Hoosier Ridge Wilderness' on the map entitled 'Tenmile Proposal' and dated June 24, 2019, which shall be known as the 'Hoosier Ridge Wilderness'.

''(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as 'Proposed Tenmile Wilderness' on the map entitled 'Tenmile Proposal' and dated June 24, 2019, which shall be known as the 'Tenmile Wilderness'.

''(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 9,670 acres, as generally depicted as

'Proposed Freeman Creek Wilderness Addition' and 'Proposed Spraddle Creek Wilderness Addition' on the map entitled 'Eagles Nest Wilderness Additions Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).''.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies, including operations using aircraft or mechanized equipment.

SEC. 6103. WILLIAMS FORK MOUNTAINS WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres and generally depicted as ''Proposed Williams Fork Mountains Wilderness'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the ''Big Hole Allotment''; and

(B) the ''Blue Ridge Allotment''.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use any motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the ''Williams Fork Mountains Wilderness''—

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with—

(A) the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77); and

(B) this title.

SEC. 6104. TENMILE RECREATION MANAGEMENT AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 17,122 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Tenmile Recreation Management Area'' on the map entitled ''Tenmile Proposal'' and dated June 24, 2019, are designated as the ''Tenmile Recreation Management Area''.

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Recreation Management Area—

(A) in a manner that conserves, protects, and enhances—

(i) the purposes of the Recreation Management Area described in subsection (b); and

(ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to the roads, vehicle classes, and periods authorized for motorized vehicle use on the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;

(II) authorizing the use of motorized vehicles for administrative purposes or roadside camping;

(III) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;

(IV) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or

(V) responding to an emergency.

(C) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—

(1) EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area of—

(A) water management infrastructure in existence on the date of enactment of this Act; or

(B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.

(2) APPLICABLE LAW.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Recreation Management Area.

(f) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Recreation Management Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(g) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land within the Recreation Management Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(h) PERMITS.—Nothing in this section alters or limits—

(1) any permit held by a ski area or other entity; or

(2) the acceptance, review, or implementation of associated activities or facilities proposed or authorized by law or permit outside the boundaries of the Recreation Management Area.

SEC. 6105. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as ''Proposed Porcupine Gulch Wildlife Conservation Area'' on the map entitled ''Porcupine Gulch Wildlife Conservation Area Proposal'' and dated June 24, 2019, are designated as the ''Porcupine Gulch Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 6110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land within the Wildlife Conservation Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(g) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 6106. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Williams Fork Mountains Wildlife Conservation Area'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, are designated as the ''Williams Fork Mountains Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 6110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 6107. CAMP HALE NATIONAL HISTORIC LANDSCAPE.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 28,676 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Camp Hale National Historic Landscape'' on the map entitled ''Camp Hale National Historic Landscape Proposal'' and dated June 24, 2019, are designated the ''Camp Hale National Historic Landscape''.

(b) PURPOSES.—The purposes of the Historic Landscape are—

(1) to provide for—

(A) the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(B) the historic preservation of the Historic Landscape, consistent with—

(i) the designation of the Historic Landscape as a national historic site; and

(ii) the other purposes of the Historic Landscape;

(C) recreational opportunities, with an emphasis on the activities related to the historic use of the Historic Landscape, including skiing, snowshoeing, snowmobiling, hiking, horseback riding, climbing, other road- and trail-based activities, and other outdoor activities; and

(D) the continued environmental remediation and removal of unexploded ordnance at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and

(2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Historic Landscape in accordance with—

(A) the purposes of the Historic Landscape described in subsection (b); and

(B) any other applicable laws (including regulations).

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Historic Landscape.

(B) CONTENTS.—The management plan prepared under subparagraph (A) shall include plans for—

(i) improving the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(ii) conducting historic preservation and veteran outreach and engagement activities;

(iii) managing recreational opportunities, including the use and stewardship of—

(I) the road and trail systems; and

(II) dispersed recreation resources;

(iv) the conservation, protection, restoration, or enhancement of the scenic, watershed, and ecological resources of the Historic Landscape, including conducting the restoration and enhancement project under subsection (d); and

(v) environmental remediation and, consistent with subsection (e)(2), the removal of unexploded ordnance.

(3) EXPLOSIVE HAZARDS.—The Secretary shall provide to the Secretary of the Army a notification of any unexploded ordnance (as defined in section 101(e) of title 10, United States Code) that is discovered in the Historic Landscape.

(d) CAMP HALE RESTORATION AND ENHANCEMENT PROJECT.—

(1) IN GENERAL.—The Secretary shall conduct a restoration and enhancement project in the Historic Landscape—

(A) to improve aquatic, riparian, and wetland conditions in and along the Eagle River and tributaries of the Eagle River;

(B) to maintain or improve recreation and interpretive opportunities and facilities; and

(C) to conserve historic values in the Camp Hale area.

(2) COORDINATION.—In carrying out the project described in paragraph (1), the Secretary shall coordinate with—

(A) the United States Army Corps of Engineers;

(B) the Camp Hale-Eagle River Headwaters Collaborative Group;

(C) the National Forest Foundation;

(D) the Colorado Department of Public Health and Environment;

(E) the Colorado State Historic Preservation Office;

(F) units of local government; and

(G) other interested organizations and members of the public.

(e) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—The Secretary of the Army shall continue to carry out the projects and activities of the Department of the Army in existence on the date of enactment of this Act relating to cleanup of—

(A) the Camp Hale Formerly Used Defense Site; or

(B) the Camp Hale historic cantonment area.

(2) REMOVAL OF UNEXPLODED ORDNANCE.—

(A) IN GENERAL.—The Secretary of the Army may remove unexploded ordnance (as defined in section 101(e) of title 10, United States Code) from the Historic Landscape, as the Secretary of the Army determines to be appropriate in accordance with applicable law (including regulations).

(B) ACTION ON RECEIPT OF NOTICE.—On receipt from the Secretary of a notification of unexploded ordnance under subsection (c)(3), the Secretary of the Army may remove the unexploded ordnance in accordance with—

(i) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(iii) any other applicable provision of law (including regulations).

(3) EFFECT OF SUBSECTION.—Nothing in this subsection modifies any obligation in existence on the date of enactment of this Act relating to environmental remediation or removal of any unexploded ordnance located in or around the Camp Hale historic cantonment area, the Camp Hale Formerly Used Defense Site, or the Historic Landscape, including such an obligation under—

(A) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(C) any other applicable provision of law (including regulations).

(f) INTERAGENCY AGREEMENT.—The Secretary and the Secretary of the Army shall enter into an agreement—

(1) to specify—

(A) the activities of the Secretary relating to the management of the Historic Landscape; and

(B) the activities of the Secretary of the Army relating to environmental remediation and the removal of unexploded ordnance in accordance with subsection (e) and other applicable laws (including regulations); and

(2) to require the Secretary to provide to the Secretary of the Army, by not later than 1 year after the date of enactment of this Act and periodically thereafter, as appropriate, a management plan for the Historic Landscape for purposes of the removal activities described in subsection (e).

(g) EFFECT.—Nothing in this section—

(1) affects the jurisdiction of the State over any water law, water right, or adjudication or administration relating to any water resource;

(2) affects any water right in existence on or after the date of enactment of this Act, or the exercise of such a water right, including—

(A) a water right under an interstate water compact (including full development of any apportionment made in accordance with such a compact);

(B) a water right decreed within, above, below, or through the Historic Landscape;

(C) a water right held by the United States;

(D) the management or operation of any reservoir, including the storage, management, release, or transportation of water; and

(E) the construction or operation of such infrastructure as is determined to be necessary by an individual or entity holding water rights to develop and place to beneficial use those rights, subject to applicable Federal, State, and local law (including regulations);

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right;

(4) alters or limits—

(A) a permit held by a ski area;

(B) the implementation of activities governed by a ski area permit; or

(C) the authority of the Secretary to modify or expand an existing ski area permit;

(5) prevents the Secretary from closing portions of the Historic Landscape for public safety, environmental remediation, or other use in accordance with applicable laws; or

(6) affects—

(A) any special use permit in effect on the date of enactment of this Act; or

(B) the renewal of a permit described in subparagraph (A).

(h)(1) FUNDING.—There is established in the general fund of the Treasury a special account, to be known as the ''Camp Hale Historic Preservation and Restoration Fund''.

(2) There is authorized to be appropriated to the Camp Hale Historic Preservation and Restoration Fund $10,000,000, to be available to the Secretary until expended, for activities relating to historic interpretation, preservation, and restoration carried out in and around the Historic Landscape.

(i) DESIGNATION OF OVERLOOK.—The interpretive site located beside United States Route 24 in the State, at 39.431N 106.323W, is hereby designated as the ''Sandy Treat Overlook''.

SEC. 6108. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW 1/4, the SE 1/4, and the NE 1/4 of the SE 1/4 of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified under subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

SEC. 6109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

''(3) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as 'Potential Wilderness to Non-wilderness' on the map entitled 'Rocky Mountain National Park Proposed Wilderness Area Amendment' and dated January 16, 2018.''.

SEC. 6110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title or an amendment made by this title establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 6103;

(C) the Recreation Management Area;

(D) a Wildlife Conservation Area; or

(E) the Historic Landscape.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of a covered area can be seen or heard from within the covered area shall not preclude the activity or use outside the boundary of the covered area.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of each area described in subsection (b)(1) with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection (b)(1) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area, Recreation Management Area, Wildlife Conservation Area, or Historic Landscape, as applicable, in which the land or interest in land is located.

(e) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(f) MILITARY OVERFLIGHTS.—Nothing in this title or an amendment made by this title restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this title or an amendment made by this title, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

(g) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public lands in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

TITLE II—SAN JUAN MOUNTAINS

SEC. 6201. DEFINITIONS.

In this title:

(1) COVERED LAND.—The term ''covered land'' means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202); and

(B) a Special Management Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) SPECIAL MANAGEMENT AREA.—The term ''Special Management Area'' means each of—

(A) the Sheep Mountain Special Management Area designated by section 6203(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 6203(a)(2).

SEC. 6202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 6102(a)(2)) is amended by adding at the end the following:

''(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled 'Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

''(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

''(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled 'Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled 'Proposed Whitehouse Additions to the Mt. Sneffels Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled 'Proposed McKenna Peak Wilderness Area' and dated September 18, 2018, to be known as the 'McKenna Peak Wilderness'.''.

SEC. 6203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018, is designated as the ''Sheep Mountain Special Management Area''.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018, is designated as the ''Liberty Bell East Special Management Area''.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this title; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) BICYCLES.—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as ''Ophir Valley Area'' on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as ''Liberty Bell Corridor'' on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this division—

(1) any reference contained in that section to ''the lands designated as wilderness by this Act'', ''the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act'', or ''the areas described in sections 2, 5, 6, and 9 of this Act'' shall be considered to be a reference to ''the Special Management Areas''; and

(2) any reference contained in that section to ''this Act'' shall be considered to be a reference to ''the Colorado Outdoor Recreation and Economy Act''.

SEC. 6204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

"SEC. 2408. RELEASE.

''(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

''(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

''(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

''(2) shall be managed in accordance with this subtitle and any other applicable laws.''.

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202)—

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with applicable laws.

SEC. 6205. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes a protective perimeter or buffer zone around covered land.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202) and the Special Management Areas with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(e) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(f) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 6202) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(g) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the covered land and the approximately 6,590 acres generally depicted on the map entitled ''Proposed Naturita Canyon Mineral Withdrawal Area'' and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

TITLE III—THOMPSON DIVIDE

SEC. 6301. PURPOSES.

The purposes of this title are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere—

(A) to reduce methane gas emissions; and

(B) to provide—

(i) new renewable electricity supplies and other beneficial uses of fugitive methane emissions; and

(ii) increased royalties for taxpayers.

SEC. 6302. DEFINITIONS.

In this title:

(1) FUGITIVE METHANE EMISSIONS.—The term ''fugitive methane emissions'' means methane gas from those Federal lands in Garfield, Gunnison, Delta, or Pitkin County in the State generally depicted on the pilot program map as ''Fugitive Coal Mine Methane Use Pilot Program Area'' that would leak or be vented into the atmosphere from an active, inactive or abandoned underground coal mine.

(2) PILOT PROGRAM.—The term ''pilot program'' means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 6305(a)(1).

(3) PILOT PROGRAM MAP.—The term ''pilot program map'' means the map entitled ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area'' and dated June 17, 2019.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term ''Thompson Divide lease'' means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) EXCLUSIONS.—The term ''Thompson Divide lease'' does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term ''Thompson Divide map'' means the map entitled ''Greater Thompson Divide Area Map'' and dated June 13, 2019.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ''Thompson Divide Withdrawal and Protection Area'' means the Federal land and minerals generally depicted on the Thompson Divide map as the ''Thompson Divide Withdrawal and Protection Area''.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ''Wolf Creek Storage Field development right'' means a development right for any of the Federal mineral leases numbered COC 007496, COC 007497, COC 007498, COC 007499, COC 007500, COC 007538, COC 008128, COC 015373, COC 0128018, COC 051645, and COC 051646, and generally depicted on the Thompson Divide map as ''Wolf Creek Storage Agreement''.

(B) EXCLUSIONS.—The term ''Wolf Creek Storage Field development right'' does not include any storage right or related activity within the area described in subparagraph (A).

SEC. 6303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be allowed to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land.

SEC. 6304. THOMPSON DIVIDE LEASE EXCHANGE.

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for legal fees or related expenses for legal work with respect to a Thompson Divide lease.

(c) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this division; and

(B) other applicable laws (including regulations).

(2) ACCEPTANCE OF CREDITS.—The Secretary may, subject to appropriations, accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—Subject to appropriations, all amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) LIMITATION OF TRANSFER.—An interest acquired by the Secretary under paragraph (1)—

(A) shall be held in perpetuity; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

SEC. 6305. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Bureau of Land Management a pilot program, to be known as the ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program''.

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

(A) to reduce methane emissions;

(B) to promote economic development;

(C) to produce bid and royalty revenues;

(D) to improve air quality; and

(E) to improve public safety.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State;

(ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;

(iii) lessees of Federal coal within the counties referred to in clause (ii);

(iv) interested institutions of higher education in the State; and

(v) interested members of the public.

(b) FUGITIVE METHANE EMISSION INVENTORY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) CONDUCT.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(A) the Bureau of Land Management;

(B) the United States Geological Survey;

(C) the Environmental Protection Agency;

(D) the United States Forest Service;

(E) State departments or agencies;

(F) Garfield, Gunnison, Delta, or Pitkin County in the State;

(G) the Garfield County Federal Mineral Lease District;

(H) institutions of higher education in the State;

(I) lessees of Federal coal within a county referred to in subparagraph (F);

(J) the National Oceanic and Atmospheric Administration;

(K) the National Center for Atmospheric Research; or

(L) other interested entities, including members of the public.

(3) CONTENTS.—The inventory under paragraph (1) shall include—

(A) the general location and geographic coordinates of each vent, seep, or other source producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions including details of measurements taken and the basis for that emissions estimate;

(C) an estimate of the total volume of fugitive methane emissions each year;

(D) relevant data and other information available from—

(i) the Environmental Protection Agency;

(ii) the Mine Safety and Health Administration;

(iii) Colorado Department of Natural Resources;

(iv) Colorado Public Utility Commission;

(v) Colorado Department of Health and Environment; and

(vi) Office of Surface Mining Reclamation and Enforcement; and

(E) such other information as may be useful in advancing the purposes of the pilot program.

(4) PUBLIC PARTICIPATION; DISCLOSURE.—

(A) PUBLIC PARTICIPATION.—The Secretary shall provide opportunities for public participation in the inventory under this subsection.

(B) AVAILABILITY.—The Secretary shall make the inventory under this subsection publicly available.

(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

(5) USE.—The Secretary shall use the inventory in carrying out—

(A) the leasing program under subsection (c); and

(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSION LEASING PROGRAM.—

(1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use, or destroy by flaring, the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) shall be—

(i) subject to valid existing rights; and

(ii) subject to such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under paragraph (1) shall only include fugitive methane emissions that can be captured for use, or destroyed by flaring, in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, transforming the fugitive methane emissions into a different marketable material; or

(II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions by flaring.

(ii) GUIDANCE.—In furtherance of the purposes of this paragraph, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of Federal authorities and programs to encourage the capture for use, or destruction by flaring, of fugitive methane emissions while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(3) FUGITIVE METHANE EMISSIONS FROM ABANDONED COAL MINES.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 6303, subject to valid existing rights, and in accordance with section 21 of the Mineral Leasing Act (30 U.S.C. 241) and any other applicable law, the Secretary shall—

(i) authorize the capture for use, or destruction by flaring, of fugitive methane emissions from abandoned coal mines on Federal land; and

(ii) make available for leasing such fugitive methane emissions from abandoned coal mines on Federal land as the Secretary considers to be in the public interest.

(B) SOURCE.—To the maximum extent practicable, the Secretary shall offer for lease each significant vent, seep, or other source of fugitive methane emissions from abandoned coal mines.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions by flaring; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emission by flaring.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than one qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the size of the overall decrease in the time-integrated radiative forcing of the fugitive methane emissions;

(II) the impacts to other natural resource values, including wildlife, water, and air; and

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) LEASE FORM.—

(i) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the leased fugitive methane emissions to be put to beneficial use or flared by not later than 1 year after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid and royalty rate for leases under this paragraph to advance the purposes of this section, to the maximum extent practicable.

(d) SEQUESTRATION.—If, by not later than 4 years after the date of enactment of this Act, any significant fugitive methane emissions from abandoned coal mines on Federal land are not leased under subsection (c)(3), the Secretary shall, in accordance with applicable law, take all reasonable measures—

(1) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(2) if sequestration under paragraph (1) is not feasible, destroy the fugitive methane emissions by flaring.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations by the Secretary on whether the pilot program could be expanded geographically to include other significant sources of fugitive methane emissions from coal mines.

SEC. 6306. EFFECT.

Except as expressly provided in this title, nothing in this title—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this title, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

SEC. 6401. DEFINITIONS.

In this title:

(1) MAP.—The term ''map'' means the map entitled ''Curecanti National Recreation Area, Proposed Boundary'', numbered 616/100,485C, and dated August 11, 2016.

(2) NATIONAL RECREATION AREA.—The term ''National Recreation Area'' means the Curecanti National Recreation Area established by section 6402(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 6402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this division, consisting of approximately 50,667 acres of land in the State, as generally depicted on the map as ''Curecanti National Recreation Area Proposed Boundary''.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this title; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this title affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'' that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'', as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located not more than 3 miles from the boundary of the National Recreation Area, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land located not more than 3 miles from the boundary of the National Recreation Area by purchase, exchange, or donation, in accordance with section 6403;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(7) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this title is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue its use of established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 6403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 6403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled ''Management Policies 2006: The Guide to Managing the National Park System'') to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—Within the National Recreation Area, the Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(8) WATER RIGHTS.—Nothing in this title—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) authorizes or imposes any new reserved Federal water right;

(E) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(F) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation area.

(9) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this title diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the ''program'').

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and

(ii) submit to Congress a report that—

(I) includes the plan developed under clause (i); and

(II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

SEC. 6403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,560 acres of land identified on the map as ''U.S. Forest Service proposed transfer to the National Park Service'' is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 5,040 acres of land identified on the map as ''Bureau of Land Management proposed transfer to National Park Service'' is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as ''Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal'' shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclamation purposes of the land identified on the map as ''Potential exchange lands'' shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 6402(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be added to, and managed as a part of, the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

SEC. 6404. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this title, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

SEC. 6405. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentleman from Colorado (Mr. NEGUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. NEGUSE. Mr. Speaker, as I referenced, I stand today in support of this amendment offered by myself and the distinguished chair of the House Natural Resources Committee, Chairman GRIJALVA, which would amend H.R. 6395 to add the text of two bills that have already passed this Chamber with bipartisan support, H.R. 823, the Colorado Outdoor Recreation and Economy Act, or CORE Act, and H.R. 1373, the Grand Canyon Centennial Protection Act.

Both of these bills are imperative, and this amendment would protect public lands and preserve our access to clean air and water across the State of Colorado and Arizona.

My bill in particular, the CORE Act, would protect over 400,000 acres of public land, including establishing the first-ever national historic landscape at Camp Hale. This unprecedented designation speaks to the storied legacy of the Army's 10th Mountain Division in Colorado and around the world.

It was in the mountains of Colorado in my district that American soldiers received the training that allowed them to defeat Germans in the northern Italian Alps, leading our Nation to victory during World War II.

Today, Camp Hale is home to a network of 34 backcountry huts connected by 350 miles of trails. Hut visitors share the special spirit of the 10th Mountain Division in their pursuit of excellence, self-reliance, and love of the outdoors.

A National Historic Landscape designation ensures that future generations will be able to learn about the history of the 10th Mountain Division, appreciate these sacrifices of our servicemembers, and enjoy outdoor recreation opportunities.

I hope my colleagues will join me in honoring those sacrifices by supporting this amendment today.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I thank the gentleman for yielding. I appreciate the time and consideration of amendment No. 8, a combination of the Grand Canyon Centennial Protection Act and my good friend JOE NEGUSE's Colorado Outdoor Recreation and Economy Act.

These bills have already passed the House with bipartisan votes, and they deserve a place in this year's National Defense Authorization Act.

We have worked hard as a committee, as you noticed from the bills that were presented today, to try to prioritize conservation and climate resiliency and protect some very special landscapes.

In addition to supporting a multibillion-dollar recreation economy, conservation of public land is our first line of defense in responding to climate change and, in the question of the Grand Canyon, protecting the water supply for 40 million Americans, businesses, and industry.

In the case of the Grand Canyon, too, ending the toxic legacy of uranium mining is truly a matter of life and death. Uranium mines across the Southwest pollute our water and endanger our communities and our health. Despite constant and empty assurances and promises, hundreds of these sites are still waiting to be cleaned up, particularly those mines that impact Tribal communities.

Opponents of this amendment claim that the permanent protections in the Grand Canyon will impact our national security. This is a patent falsehood and distraction. The Grand Canyon region holds less than 1 percent of known U.S. uranium reserves, hardly an abundance and hardly an amount we cannot find elsewhere.

The Department of Energy reported to Congress that they have enough uranium stockpiled to meet all critical uranium needs, including weapons, maintenance, Naval propulsion, and mutual defense obligations, through 2060.

Unfortunately, despite there being no reason to mine the national treasure, the temporary protections put in place by the previous administration are under attack by this administration and his industry cronies. This is not about the bottom line of some foreign mining company. This is about American lives, and we should not sacrifice the Grand Canyon as expendable or a price of doing business.

Mr. Speaker, I urge adoption of the amendment.

Mr. GOSAR. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I feel like I am in the movie ''Groundhog Day.'' My colleagues on the other side of the aisle are repeating one of their famous mantras, ''Not this mine, not this place,'' their standard refrain because they do not support any mining anywhere.

This amendment is nothing short of a full-scale attack on the livelihoods of many of my constituents. It sets back our Nation's national security and strengthens Putin's Russia. This amendment imposes a million-acre land grab permanently banning mining in an area nearly the size of Delaware. However, none of this land is in the district of the sponsor of this amendment, Mr. Speaker.

My colleagues falsely frame this amendment as an effort to protect the Grand Canyon, which is, of course, completely disingenuous. No one wants to mine within the Grand Canyon. This entire area is miles away from the boundaries of the buffer around the Grand Canyon National Park.

□ 1600

Bipartisan negotiations led to the Arizona Wilderness Act in 1984, which set aside this area for multiple-use activities, including mining. It placed 387,000 acres of land into the National Wilderness Preservation System in exchange for leaving 540,000 acres for multiple use, which now makes up a large portion of this withdrawal.

Estimates show that the passage of this amendment would cost the six directly affected counties in Arizona and Utah between 2,000 and 4,000 jobs and $29 billion in economic activity. This would completely and utterly devastate these rural communities.

The area in question is home to the highest grade and largest quantity of uranium deposits in the country, so this amendment does not just negatively affect Arizona, it harms the national security of the entire country.

By passing this amendment, we play right into the hands of Russia, who along with Kazakhstan and Uzbekistan, are deliberately trying to corner the global uranium market. China is also joining in the game, buying up uranium mines in Africa.

Successful uranium mining occurred in the 1980s in this exact area. These mines were reclaimed so well that you can't even tell where they once existed. And there was no damage done to the Grand Canyon watershed—in fact, it may have improved it.

Mr. Speaker, I think this House is slowly becoming fully aware of the problem we face as a nation when it comes to our reliance on foreign sources of critical minerals, especially in light of the current pandemic. In fact, many Democrats are starting to come to the table to work with us to rectify this problem.

However, there are still many hurdles to cross, like the fact that my colleagues continue to try to block mining in northern Arizona, much like they do in northern Minnesota and the Resolution Copper Mine in the southern part of my district.

There is no question that this amendment will hurt local revenues, kill jobs, and undermine American energy security. It is opposed by the people of my district, and, Mr. Speaker, I urge my colleagues to join me in opposition.

Mr. Speaker, I include in the RECORD two letters: one being a veto threat from the administration related to the bill form of this amendment, H.R. 1373; and the other being a letter from a number of industry groups opposing this amendment.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1373—GRAND CANYON CENTENNIAL PROTECTION ACT—REP. GRIJALVA, D–AZ, AND 122 COSPONSORS

The Administration strongly opposes H.R. 1373, the Grand Canyon Centennial Protection Act. This bill would permanently make more than 1 million acres of Federal lands in Arizona off limits to development and uses that would otherwise be permissible under Federal laws governing public lands, mining, mineral, and geothermal leasing. The Administration opposes such a large, permanent withdrawal, which would prohibit environmentally responsible development, as determined through site-specific analysis, of uranium and other mineral resources.

The United States has an extraordinary abundance of mineral resources, both onshore and offshore, but this legislation would restrict our ability to access critical minerals like uranium in an area known to have them in large supply. Moreover, the size of the withdrawal included in H.R. 1373 is inconsistent with the Administration's goal of striking the appropriate balance for use of public lands described in two executive orders. This withdrawal would conflict with the objectives set forth in Executive Order 13783, Promoting Energy Independence and Economic Growth, and Executive Order 13817, A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals. Development of our Nation's mineral resources is essential to ensuring the Nation's geopolitical security, and this bill would not help us achieve that goal.

If H.R. 1373 were presented to the President, his advisors would recommend that he veto it.

OCTOBER 29, 2019.

Hon. RAÚL GRIJALVA,
Chairman, House Natural Resources Committee, Washington, DC.

Hon. ROB BISHOP,
Ranking Member, House Natural Resources Committee, Washington, DC.

DEAR CHAIRMAN GRIJALVA AND RANKING MEMBER BISHOP: The signatories to this letter urge you to vote in opposition to the ''Grand Canyon Centennial Protection Act'' (H.R. 1373), an act that fails to acknowledge our nation's alarming reliance on foreign sources of minerals and would further weaken the already vulnerable supply chains for key U.S. industry sectors, including manufacturing, infrastructure, energy and defense.

Federal lands—predominantly in the western U.S.—are the source of much of our nation's mineral endowment. Of these federal lands, half are either off limits or under restrictions to mineral development. While mining is certainly not appropriate on all federal lands, maintaining responsible access to the very resources that drive innovation, feed economic growth and improve our nation's quality of life is essential. Given the vast amount of federal lands already closed to mining operations, caution should be exercised when determining whether additional lands should be placed off limits.

H.R. 1373 targets over a million acres of mineral rich lands, including world-class uranium ore deposits that are located well beyond the boundaries of the Grand Canyon National Park. The park as created already includes a built-in buffer zone to protect park resources from activities taking place outside the park boundaries and an additional million-acre buffer zone is not justified. H.R. 1373 deliberately disregards our dangerous dependence on countries like Russia, Kazakhstan, Uzbekistan, and Niger to meet our nation's need for uranium to fuel our nuclear Navy and supply 20 percent of our nation's electricity.

Furthermore, H.R. 1373 ignores not only the comprehensive framework of federal, state and local environmental regulations that govern every aspect of mining but the findings of the Department of the Interior that the park was not at risk from mining given these existing protections. This unwise and unwarranted mineral withdrawal is bad public policy that ignores the vast sectors of our economy that depend upon a reliable and secure supply chain of minerals and metals. Access to our nation's vast and diverse resources and fair regulatory policies that promote certainty in the mine permitting process are the elements of sound public policy that should be considered when addressing resource development on federal lands. We urge you to vote against this misguided bill and support policies that promote responsible resource development.

Sincerely,

AMERICAN EXPLORATION & MINING ASSOCIATION.
ARIZONA CHAMBER OF COMMERCE & INDUSTRY.
ARIZONA MINING ASSOCIATION.
NATIONAL MINING ASSOCIATION.
WYOMING MINING ASSOCIATION.

Mr. GOSAR. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Speaker, I thank the gentleman, my colleague, for yielding.

Mr. Speaker, I strongly oppose the amendment from my good friend from Colorado.

Like amendments that have come before this, this amendment will do the exact opposite of what we are trying to be able to accomplish here today, which is develop a bill to support and strengthen the national defense.

My colleague's amendment has the potential to threaten high-altitude military aviation training that is critical to the readiness of our armed services and to the national security interests of the U.S. Additionally, it would make the United States even more reliant on China for critical and strategic minerals.

Our goal is to be able to enact policies that support readiness and sustainable and secure supply chains for critical minerals. This amendment is in direct conflict with those goals.

High-altitude military aviation training is critical to the readiness of our armed services and to the national security of the United States.

My colleagues have stated that they want to be able to safeguard HAATS. In my conversations with DOD, it said it would look forward to DOD flight guidance with regards to how to operate under the language. And while I appreciate DOD's guidance, we all know too well that regulatory changes do not provide certainty. That is why I have submitted an amendment to codify the safe transit exception for military aircraft flying over the wilderness areas and mountain regions. Unfortunately, my friends in the majority did not rule that amendment in order, and we will not have the opportunity to be able to vote on safe transit.

We need to be focusing on the security of the United States not only in terms of critical minerals, but also making sure that our military has the appropriate tools to be able to carry out their missions safely in terms of the guidance that we are providing. This amendment does not achieve that goal. It will not help support the NDAA.

Mr. GOSAR. Mr. Speaker, I reserve the balance of my time.

Mr. NEGUSE. Mr. Speaker, I inquire as to how much time remains.

The SPEAKER pro tempore. The gentleman from Colorado has 1½ minutes remaining.

Mr. NEGUSE. Mr. Speaker, while I disagree with my colleague, Mr. TIPTON, on this particular issue, I do appreciate his friendship and his service to the House for many years.

I would just offer three closing arguments.

First, for those who argue that these public land measures should not be attached to the NDAA, there is certainly precedent for these type of provisions to be included in the NDAA. In fact, the Hermosa Creek Watershed Protection Act by my colleague from Colorado, my good friend, was signed into law as a provision of the 2015 NDAA in the 113th Congress under a Republican-controlled House. So there is ample precedent.

With respect to the HAATS issue, I would simply note that, in December of last year, the Department of Defense sent a letter to my Senate companion sponsor, Senator MICHAEL BENNET, informing him that the Department had determined that:

> The land management designation in H.R. 823, the CORE Act, should not affect current or future military overflight in Colorado.

Mr. Speaker, these bills have nothing to do with China or Kazakhstan and everything to do with protecting crown jewels here in the United States of America, the Grand Canyon and hundreds of thousands of acres of wilderness in my home State of Colorado.

Mr. Speaker, I urge my colleagues to support these important public land designations and support the amendment being considered by the House.

Mr. Speaker, I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, once again, this is about the management of the land. As we stated earlier, the buffer around the Grand Canyon, this is miles away from this.

And this is about national security. Critical minerals, uranium, they are very important to the makeup of this country and its energy sector. We cannot be reliant, and we saw that all too easily displayed in this COVID crisis. We have to be the purveyors of our future.

Mr. Speaker, I ask everybody to vote against this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the

amendment offered by the gentleman from Colorado (Mr. NEGUSE).

The question is on the amendment.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOSAR. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 9 OFFERED BY MR. POCAN

The SPEAKER pro tempore. It is now in order to consider amendment No. 9 printed in House Report 116–457.

Mr. POCAN. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X, insert the following:

SEC. 10___. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2021 BY THIS ACT.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2021 by this Act is the aggregate amount authorized to be appropriated for fiscal year 2021 by this Act minus the amount equal to 10 percent of the aggregate amount.

(b) ALLOCATION.—The reduction made by subsection (a) shall apply on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated by this Act (other than the Defense Health Program, military personnel, and persons appointed into the civil service as defined in section 2101 of title 5, United States Code), and shall be applied on a pro rata basis across each program, project, and activity funded by the account or fund concerned.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentleman from Wisconsin (Mr. POCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. POCAN. Mr. Speaker, if you ask just about anyone, ''What is America's greatest threat?'' the answer isn't going to be another country or a political ideology. It is going to be a disease: COVID–19.

And with that answer, people will mention the need of help for the jobless, the threat to small businesses, problems paying their rent or mortgage, and the need for healthcare.

What you won't hear will be the need for a Space Force or more nukes or an overseas slush fund for the Pentagon. You certainly won't hear about the need for more cost overruns or fraud and abuse from defense contractors.

But that is exactly what we have. We have increased our military spending almost 20 percent in the last 4 years at a time of relative peace, but we have not kept up with our needs like healthcare, education, and, of course, fighting the coronavirus, yet we spend 90 times more on defense than we do the Centers for Disease Control.

$740 billion for the Pentagon is a lot of money, and too much of it gets wasted on fraud, cost overruns, and outside contractors. We are literally flushing money down the drain, and I mean literally.

Due to a design flaw in the new $13 billion Ford-class aircraft carrier, we are spending $400,000 on specialized acids every time we have to flush and unclog the toilets. I am not making this up.

Almost every major defense contractor has had to pay fines or settlements for fraud or misconduct, all while getting about $1 trillion in defense contracts.

We have spent billions on an amphibious vehicle that sinks due to its own weight, and don't even mention the $10,000 toilet seat covers.

If we cut the defense budget just 10 percent but not our troops, we free up $74 billion to fight global pandemics like COVID–19 and much more.

We need to treat the Pentagon like every other department, and that means with fiscal responsibility. We do that today by trimming 10 percent, $74 billion, to be used, instead, on behalf of the American people, not bloated defense contracts.

Mr. Speaker, I urge support of my amendment, and I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentlewoman from Wyoming (Ms. CHENEY).

Ms. CHENEY. Mr. Speaker, this amendment is a deeply irresponsible stunt that would have great implications for our national security. It would return us to days even worse than the days of sequester, a time in which Secretary of Defense Jim Mattis said:

> No foe in the field has done more damage to the U.S. Armed Forces than the United States Congress has because of arbitrary across-the-board cuts.

We would, with this amendment, undermine near-term lethality and the readiness of our troops on air, on land, and at sea.

We are asking our men and women to go into harm's way to defend all of us, and we must always do that ensuring that they have the absolute best equipment and resources necessary.

This amendment is a stunt, Mr. Speaker. It would be dangerous. We have to ensure that the United States of America maintains a military force that is second to none.

Mr. Speaker, I urge my colleagues to defeat this irresponsible and reckless amendment.

Mr. POCAN. Mr. Speaker, I yield 1¾ minutes to the gentlewoman from California (Ms. LEE), my distinguished colleague and colead on this amendment, and a strong voice for peace and justice.

Ms. LEE of California. Mr. Speaker, I thank Congressman POCAN for yielding and for his tremendous, bold, and visionary leadership.

As we stand here today, 142,000 people in America are dead from COVID and millions have suffered from the disease or the economic dislocation which it has caused.

The Federal response has been weak, it has been late, and it has been confused. Meanwhile, this House stands poised to pour three-quarters of a trillion dollars into a defense establishment that is unauditable, unaccountable, and does little to answer the basic threats to the safety and welfare of our people.

The Pentagon is the only Federal department that has never passed an audit, despite this requirement being on the books for 30 years.

It is not hard to find places to cut this budget. The Pentagon could save almost $58 billion just by eliminating obsolete weapons, weapons like Cold War-era bombers and missiles designed and built in the last century that are totally unsuitable for the challenges of this century.

We could find another $18 billion simply by preventing the end-of-year spending sprees that lead to contract money being shoveled out the door in September. Congressional Research Service documented these spending spikes occurring each September as offices at the Pentagon go on a last-minute spending spree to justify their next-year budget increases.

We see the tremendous costs of this runaway spending not only in missing priorities like public health that are left underfunded, but in a way of thinking that militarizes every problem in our society and turns peaceful protestors into targets for weapons of war.

Enough. It is time for us to stand up against this madness.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POCAN. Mr. Speaker, I yield an additional 10 seconds to the gentlewoman.

Ms. LEE of California. Mr. Speaker, let me just close by saying these are modest cuts. They won't compromise our national security and won't take dollars from our troops, but it will allow us to reinvest in healthcare, schools, and infrastructure. This amendment will be a first step in rebalancing our priorities to build a safe, peaceful, prosperous world at home and abroad.

Mr. Speaker, I urge a ''yes'' vote.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, let's just be honest. This amendment does not do anything for funding for COVID or funding for healthcare. This is, straight and simple, defund DOD, and that is it.

We have just come off of sequestration where we saw our planes falling out of the sky during training, where we saw our men and women in uniform

working in buildings that we couldn't even repair. At my own base, Wright-Patterson Air Force Base, they didn't even have enough money to turn the lights on in buildings that people were working in.

This is not sequestration. This is like sequestration on steroids. This would be the biggest cut, much more than sequestration ever had.

It actually works out to about a 16 percent cut, not 10 percent, because of the things that are exempted. So the money doesn't go where the author says it is going to go to.

It does hurt our national security, and it does hurt our men and women in uniform. It cuts military housing; it cuts education; it cuts military family programs; it cuts research and development; but, most importantly, it cuts training. It goes right to the heart of making it unsafe once again for our men and women in uniform just to keep our country safe.

This isn't money down the drain. This is money every day that keeps us at peace.

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Mr. POCAN. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. JAYAPAL), the co-chair of the CPC, and my good friend.

Ms. JAYAPAL. Mr. Speaker, I stand in strong support of this amendment by my fantastic co-chair, Mr. POCAN, and Ms. LEE.

This is critical for us to just do this small step of cutting 10 percent of our Pentagon budget.

Enough is enough. This year's defense budget is 90 times bigger than the budget for the Centers for Disease Control. Yet, we are nearing 4 million COVID cases and over 141,000 deaths, and this President wants to add money for defense spending while cutting money for testing. That is just wrong.

It is a small amount, but it is a start. That $74 billion could mean childcare for every family. It could mean housing vouchers for every eligible family. It could mean a $23,000 raise for every public-school teacher.

So many things that we could do with this money—what we cannot do is give it away to corrupt defense contractors.

Pass this amendment. Reset our priorities. It is time.

Mr. THORNBERRY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I am in opposition to this amendment because it actually creates a structural imbalance, or a structural deficit, in what we have been doing the last 5 years to rebuild our military, to regain that lost readiness.

If you exempt personnel accounts and health plans, this actually turns out to be a 16 percent reduction. Let me tell you the things that this 16 percent reduction will result in.

You will have family housing benefits for military members that go out the window. We won't be supporting their families.

It will make existing base housing agreements insolvent, so what we do to help house our men and women in the military and their families goes out the window. Basic family safety nets for children, suicide prevention, and family support, out the window. So much for supporting our brave men and women who serve this Nation.

Servicemembers on-base food support, so much for helping them through these challenging times and making sure that their basic needs are met.

It creates a hollow force. Remember, what we do in investing in our military is to build the ability for our Nation to deter our adversaries. We have seen, historically, when there is an imbalance in powers between near-peer adversaries, what happens? We find ourselves in conflict.

Why would we want to send a message to the rest of the world that we are going to purposely weaken our United States military, that we are going to put our Nation in a position not to be able to defend ourselves and to deter others from perpetrating their violence across the world?

Mr. THORNBERRY. Mr. Speaker, has all the gentleman from Wisconsin's time been used?

The SPEAKER pro tempore. The gentleman from Wisconsin's time has expired. The gentleman from Texas has 2 minutes remaining.

Mr. THORNBERRY. Mr. Speaker, the underlying bill, as Chairman SMITH pointed out a few moments ago, is consistent with the 2-year budget agreement, which was made last year.

It turns out, many of the sponsors of this amendment voted for that 2-year budget agreement. But this year, they only want to cut defense.

As my colleagues have pointed out, some accounts are exempt, and that means the real cut is not 10 percent. It is 16 percent. That 16 percent cut would have a severe effect on modernization; on the research we need to do to catch up, in many cases, with Russia and China; and especially on maintenance.

This House has been a leader in restoring our readiness and maintaining our planes, ships, and equipment. This takes us back the other way. In other words, this amendment may well cost lives.

As several of my colleagues have mentioned, while it exempts some accounts dealing with our people, other accounts are not exempt. So, this amendment results in a $216 million cut to military housing; a $470 million cut to the Department of Defense dependent education program; a $184 million cut to commissaries; $900 million to defense nuclear environmental cleanup, including a $145 million cut to the Hanford site.

But underneath it all, there is a fundamental flaw in this amendment. It says that we can cut defense without consequences. It is kind of like we can hide our head under the covers, cut defense, and assume that the threats are just going to go away. But they don't.

Those who don't share our values will step into the void. The world will grow more dangerous, and Americans and America's national security will suffer as a result. That is the fact.

History proves, time and time again, weakness begat aggression. That is what this bill tries to avoid, and I hope that, on a bipartisan basis, Members will reject this amendment.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentleman from Wisconsin (Mr. POCAN).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THORNBERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AMENDMENT NO. 11 OFFERED BY MS. DEAN

The SPEAKER pro tempore. It is now in order to consider amendment No. 11 printed in House Report 116–457.

Ms. DEAN. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle E of title XVII, add at the end the following:

SEC. ____. PAYMENTS FOR PRIVATE EDUCATION LOAN BORROWERS, AS A RESULT OF COVID–19.

(a) RELIEF FOR COVERED BORROWERS AS A RESULT OF THE COVID–19 NATIONAL EMERGENCY.—

(1) STUDENT LOAN RELIEF AS A RESULT OF THE COVID–19 NATIONAL EMERGENCY.—The Secretary of the Treasury shall carry out a program under which the Secretary shall make payments, on behalf of a covered borrower, with respect to the private education loans of such borrower.

(2) PAYMENT AMOUNT.—Payments made under paragraph (1) with respect to a covered borrower shall be in an amount equal to the lesser of—

(A) the total amount of each private education loan of the borrower; or

(B) $10,000.

(3) NOTIFICATION OF BORROWERS.—Not later than 15 days following the date of enactment of this subsection, the Secretary shall notify each covered borrower of—

(A) the requirements to make payments under this section; and

(B) the opportunity for such borrower to make an election under paragraph (4)(A) with respect to the application of such payments to the private education loans of such borrower.

(4) DISTRIBUTION OF FUNDING.—

(A) ELECTION BY BORROWER.—Not later than 45 days after a notice is sent under paragraph (3), a covered borrower may elect to apply the payments made under this subsection with respect to such borrower under paragraph (1) to any private education loan of the borrower.

(B) AUTOMATIC PAYMENT.—

(i) IN GENERAL.—In the case of a covered borrower who does not make an election under subparagraph (A) before the date described in such subparagraph, the Secretary shall apply the amount determined with respect to such borrower under paragraph (1) in order of the private education loan of the borrower with the highest interest rate.

(ii) EQUAL INTEREST RATES.—In case of two or more private education loans described in clause (i) with equal interest rates, the Secretary shall apply the amount determined with respect to such borrower under paragraph (1) first to the loan with the highest principal.

(5) DATA TO IMPLEMENT.—Holders and servicers of private education loans made to covered borrowers shall report, to the satisfaction of the Secretary, the information necessary to calculate the amount to be paid under this subsection.

(6) RATABLE REDUCTION.—To the extent that amounts appropriated to carry out this section are insufficient to fully comply with the payments required under paragraph (2), the Secretary shall distribute available funds by ratably reducing the amounts required to be paid under such paragraph.

(b) ADDITIONAL PROTECTIONS FOR COVERED BORROWERS.—

(1) LOAN MODIFICATION AFTER PAYMENT.—Each private education loan holder who receives a payment pursuant to subsection (a) shall, before the first payment due on the private education loan after the receipt of such payment (and taking into account any suspension of payments that may be required under any other provision of law), modify the loan, based on the payment made under subsection (a), to lower monthly payments due on the loan. Such modification may take the form of a re-amortization, a lowering of the applicable interest rate, or any other modification that would lower such payments.

(2) REPAYMENT PLAN AND FORGIVENESS TERMS.—Each private education loan holder who receives a payment pursuant to subsection (a) shall modify all private education loan contracts with respect to covered borrowers that it holds to provide for the same repayment plan and forgiveness terms available to Direct Loans borrowers under section 685.209(c) of title 34, Code of Federal Regulations, in effect as of January 1, 2020.

(3) TREATMENT OF STATE STATUTES OF LIMITATION.—For a covered borrower who has defaulted on a private education loan under the terms of the promissory note prior to any loan payment made under subsection (a), no payment made under such subsection shall be considered an event that impacts the calculation of the applicable State statutes of limitation.

(4) PROHIBITION ON PRESSURING BORROWERS.—

(A) IN GENERAL.—A private education loan debt collector or creditor may not pressure a covered borrower to elect to apply any amount received pursuant to subsection (a) to any private education loan.

(B) VIOLATIONS.—A violation of this paragraph is deemed—

(i) an unfair, deceptive, or abusive act or practice under Federal law in connection with any transaction with a consumer for a consumer financial product or service under section 1031 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5531); and

(ii) with respect to a violation by a debt collector, an unfair or unconscionable means to collect or attempt to collect any debt under section 808 of the Federal Debt Collection Practices Act (15 U.S.C. 1692f).

(C) PRESSURE DEFINED.—In this paragraph, the term ''pressure'' means any communication, recommendation, or other similar communication, other than providing basic information about a borrower's options, urging a borrower to make an election described under subsection (a).

(c) DEFINITIONS.—In this section:

(1) COVERED BORROWER.—The term ''covered borrower'' means a borrower of a private education loan.

(2) FAIR DEBT COLLECTION PRACTICES ACT TERMS.—The terms ''creditor'' and ''debt collector'' have the meaning given those terms, respectively, under section 803 of the Fair Debt Collection Practices Act (15 U.S.C. 1692a).

(3) PRIVATE EDUCATION LOAN.—The term ''private education loan'' has the meaning given the term in section 140 of the Truth in Lending Act (15 U.S.C. 1650).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentlewoman from Pennsylvania (Ms. DEAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. DEAN. Mr. Speaker, I thank the chairman and all the members of the committee for their fine work in the proposed legislation.

I rise today in support of my amendment, No. 11, to H.R. 6395. This amendment would provide much-needed assistance to roughly 6 million private student loan borrowers by authorizing appropriations of up to $10,000 per borrower to pay down their student loan debt.

Additionally, this amendment would require private student loan servicers to modify the loan to lower the monthly payments by re-amortizing the loan and/or lowering the interest rate when the borrower resumes payment.

This is a commonsense requirement that helps both the borrowers and the servicers, who will receive a lump sum payment and should, therefore, make sure that subsequent payments by borrowers are affordable and sustainable.

Private student loan borrowers did not receive any of the reprieve that the Federal student loan borrowers were able to access through the CARES Act. This means that roughly 6 million private student loan borrowers have had to continue to make payments during an unprecedented health and economic crisis, hurting not only their economic health but our country's, too.

We know the private student loan borrowers are particularly vulnerable. Prior to the pandemic, one in seven student loan borrowers were more than 90 days delinquent.

COVID–19 has only exacerbated this problem. According to the Student Borrower Protection Center, the number of private student loan borrowers unable to make payment obligations between January and April of this year increased by 36 percent.

This amendment would rectify the inequity we created in not including private student loan borrowers and bring them much-needed assistance, just as this body did with Federal student loan borrowers.

Importantly, this amendment will help our veterans, who take out an average of $8,000 in private student loan debt to attend for-profit schools each year, and for the estimated 200,000 servicemembers who collectively owe billions in student loan debt. While many were able to access relief for Federal funds, these borrowers were not. They are languishing from the burden of private student loans.

This amendment is good for our borrowers, good for our economy, good for our veterans. I urge Members to support this amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I claim time in opposition. I am opposed to the amendment.

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 5 minutes.

Mr. LUETKEMEYER. Mr. Speaker, this amendment is an attempt by the Democrats to rewrite private contracts and put private lenders out of business, accomplishing their goal of socializing all student loan debt.

This amendment authorizes between $45 and $50 billion of taxpayer dollars to cancel or substantially lower private student loans. But it does not require that a student borrower demonstrate a financial need for such support, and the amendment does not credit students that have already paid off their student loans as required. It picks winners and losers at taxpayer expense.

The amendment directs Treasury to provide up to $10,000 for every single private borrower to be used toward private education loans, even if there is no demonstrated financial need for support. It wrongly assumes all private student loan borrowers have been impacted by COVID–19 and creates a situation that is ripe for waste, fraud, and abuse.

Every Member of Congress recognizes that student debt is an issue that must be tackled. However, what is often not mentioned is that the Federal Government is the largest consumer lender, owning or guaranteeing $1.4 trillion out of a total of $1.5 trillion in student debt.

In 2010, Democrats largely nationalized student debt by eliminating the Federal Family Education Loan Program, where private lenders made federally guaranteed student loans to parents and students. Now, the Department of Education and the Direct Loan Program is basically the only option in the student loan market.

Private student loans make up less than 8 percent of all outstanding loans, and because student education loans are subject to strong underwriting standards, those loans from the private sector have a default rate of less than 3 percent, compared to 18 percent in the Federal loan program.

I realize that the amendment is attempting to force regulators to work with the borrowers, but private education lenders already have the flexibility to work with borrowers to make accommodations, including under the

pandemic-related guidance provided by the Federal financial regulators.

When the Federal Government, led by congressional Democrats, took over the student loan market, costs skyrocketed. This amendment continues the Democrats' government takeover of the student loan industry, only making the crisis worse.

Democrats continue to push their socialist wish list, rather than providing targeted relief for those most in need.

If this program was such a big priority for Democrats, you would think they would fund it, but they didn't fund it in the FY21 appropriations bill, even though they added $250 billion of new emergency spending.

I am disappointed to see Democrats pandering to the students for election-year gains, rather than tackling the important issue of college affordability.

I would also like to point out that this amendment has no place in the NDAA. A defense authorization bill should be focused on national security, the defense and the industrial base, troop levels and readiness, and the health and safety of our men and women in uniform, not student debt.

Mr. Speaker, I include in the RECORD the following documents.

The first is a July 15, 2020, letter from the Consumer Bankers Association to Rules Committee Chairman MCGOVERN, requesting that the Dean amendment not be made in order in H.R. 6395.

The second is a document compiled by the Consumer Bankers Association summarizing the steps taken by private student loan lenders to help their customers, as of June 30, 2020.

CONSUMER BANKERS ASSOCIATION,
Washington, DC, July 15, 2020.

Hon. JIM MCGOVERN,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MCGOVERN: On behalf of the Education Funding Committee of the Consumer Bankers Association (CBA), we ask that you oppose making in order Amendment 283 proposed by Representative Dean to H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act (NDAA) for Fiscal Year 2021. This amendment to the CARES Act would make major changes that would significantly impair the entire private student loan market. It is clearly not related to national defense programs and is not germane to the NDAA. The proposal in modified form was considered and included in the HEROES Act, H.R. 6800, as part of measures recommended by the Financial Services Committee. In short, this amendment does not belong in the NDAA.

The procedural and jurisdictional questions aside, the text of the Dean Amendment 283 was considered and rejected in its current form as part of the HEROES Act. We would like to point out what we believe are serious flaws in the proposal.

First, I wish to note that the members of CBA appreciate the accomplishments of this Congress in passing bi-partisan legislation providing help to Americans suffering from the health and economic effects of the COVID–19 Coronavirus, including passage of the Coronavirus Aid, Response, and Economic Security (CARES) Act.

Our members are doing their part with diligence and compassion to help their customers who are impacted by the effects of the pandemic. This includes major steps to assist private student loan borrowers, with thousands helped to date. However, we are concerned that the provisions of this section would, if enacted, dramatically hinder our members' ability to provide financing to our nation's students in the future.

CBA is the voice of the retail banking industry whose members operate in all 50 states, serve more than 150 million Americans, and collectively hold two-thirds of the country's total depository assets. CBA members are also the private sector lenders that make the majority of private education loans to help families finance a postsecondary education. At this time of extreme uncertainty, our banks remain in strong financial condition and are stepping up to serve the needs of customers and employees.

The CBA Education Funding Committee includes the banks that make most private student loans in order to help American students finance their education. That process has been going extraordinarily well for years, with the vast majority—98 percent—of borrowers successfully repaying their private student loans. Our members are working with current students and their families, many of whom have seen their educations interrupted or transformed due to the pandemic. There is a great deal of uncertainty as to when normal educational processes can resume. Because of that uncertainty, we are working closely with our customers to make sure they will have the financing they need to start or continue their higher educations.

Meanwhile, for borrowers who are in repayment on their student loans, CBA member banks continue to offer many options tailored to their needs to make sure they can get through this period of tremendous uncertainty and turmoil. Our members are offering special terms, including allowing expanded forbearance—stopping loan repayment—and other options that meet the needs of borrowers and co-signers. We are also allowing borrowers more time to make decisions about whether to borrow and how much, realizing that families need to evaluate changing economic and individual family conditions.

In sum, CBA member banks are doing their best to help our customers through the crisis and emerge with their educational plans intact and their financial situations manageable. Banks are working, as they must, with prudential regulators, including the Consumer Financial Protection Bureau, Federal Reserve, Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation, as well as state regulatory agencies, on allowable steps that can be taken to help borrowers now.

Given the steps being taken by the private sector, we wish to alert you to the fact that some of the proposals contained in the Dean Amendment number 283 would significantly disrupt the private student loan market. We have offered to work with all interested Members on substitute legislation that would help student loan borrowers and avoid steps that will make it impossible for banks and other private lenders to offer their customers the private loan options they can access today. Such proposals should be considered as part of COVID–19 relief legislation, not as part of the NDAA.

The Dean amendment would have the Secretary of the Treasury make monthly payments for private education loan borrowers totalling up to $10,000 until September 30, 2021. This step would require extensive, complex coordination and across-the-board servicing system changes at a time when financial institutions, like other parts of the economy, are coping with workplace challenges. However, CBA members would work with their customers and the Treasury Department to implement such a policy, should Congress decide to proceed, through an appropriate legislative vehicle, and set up a process for the payments to be made by the government to lenders on behalf of borrowers.

The amendment in the fall of 2021 would give all private student loan borrowers $10,000, less payments previously made on their behalf. CBA is concerned that a lump sum payment made more than a year from now will have little impact on helping our country recover from the emergency. Moreover, this minimum amount provision is untargeted since it would be made after the emergency period and without regard to whether the borrower is actually experiencing any repayment difficulty. Therefore, we believe any relief should be tailored to the government making monthly payments for those in need during the emergency period. We agree that any such payments made on behalf of a borrower should not be counted as income for tax purposes.

Most importantly, the amendment includes an unworkable provision that would require private lenders to change millions of contracts with borrowers to include the Revised Pay As You Earn option that the federal government offers some federal loan borrowers. This proposal would require private lenders to offer the same income derived repayment (IDR) plans, including forgiveness after 20 years of payments for undergraduates or 25 years for loans for graduate studies, as are offered by the Department of Education. While an IDR/loan forgiveness program is an appropriate safety net for loans without any meaningful upfront consumer protections, it is not suited to private loans made with the most critical upfront consumer protection: evaluation of ability to repay.

The federal government currently dominates student lending, originating 92 percent of new loans made each year. These loans provide access to higher education, but because there is no consideration of ability to repay or credit underwriting, they put some students into excessive indebtedness with unaffordable monthly payments.

Private loans play an important role in providing access to higher education, typically supplementing federal aid and always involving a careful assessment of credit capacity and ability to pay. That is why 98 percent of private loans are being successfully repaid, while a quarter of federal loan borrowers are not making any progress towards reducing their loan balance. We strongly oppose applying repayment policies that may address over-lending of federal loans but that are not anchored to safety and soundness principles that consistently assure responsibly underwritten private loans that are being successfully repaid.

Importantly, private loan lenders, working closely with their prudential regulators, have developed well-targeted repayment relief options that effectively assist customers experiencing repayment difficulty. Private loan lenders provide short- and long-term forbearances, as well as loan modifications that lead to affordable loan payments. These solutions appropriately balance consumer protection and safety/soundness principles in support of customer repayment success. In this respect, the proposal to require a well-functioning private loan market to function like the vastly different federal loan market is nothing more than a solution in search of a problem.

The government keeps non-performing loans—millions of them—on its books for decades before giving up on collection. Banks that engage in such practices would be quickly ordered to stop by their federal

regulators and would likely face sanctions. If a loan isn't being repaid, banks must account for it on their balance sheets. Under federal IDR rules, a borrower can make no payments but still be considered current, with their loan cancelled after 20 or 25 years. That is not possible for any private lender under the sensible safety and soundness practices required by their prudential regulator.

In short, the proposal to apply repayment policies developed to remediate the absence of an ability to repay evaluation for federal loans to a market that leverages safe and sound underwriting to consistently drive repayment success would not only signifcantly disrupt exisitng contracts with borrowers but would almost certainly force a signficant reduction in access to private loan credit. CBA members recognize the severity of the hardship many Americans are facing in the economic downturn caused by the coronavirus pandemic. All CBA members are working with their customers to help those who are experiencing difficulties or delays in making student loan payments. Banks since the start of the crisis have been enhancing the options available to their customers to help them manage their finances. For many borrowers, it's financially better to keep making payments in order to pay off their loans as soon as possible. Others need more flexibility, and they are getting it.

We understand the desire of Congress to help student loan borrowers and to take measures that will stimulate the economic recovery once the emergency concludes. Banks are doing their part in working with our customers individually to help. Unfortunately, the Dean Amendment would force many banks into an impossible position with their prudential regulators and force banks to stop offering student loans to their customers. This is a major change in the law that does not belong as part of the NDAA.

Thank you for your consideration of our views. We would be pleased to answer your questions and to work with you on ways to assist our country recover from the effects of the pandemic.

Sincerely,

RICHARD HUNT,
President and CEO,
Consumer Bankers Association.

SUMMARY OF STEPS TAKEN BY PRIVATE STUDENT LOAN LENDERS TO HELP THEIR CUSTOMERS

[As of June 30, 2020]

Private student loan lenders have continued since the start of the COVID–19 coronavirus crisis to work closely with their customers to make sure they have the assistance they need to handle any financial disruptions. It is in the mutual interest of lenders and borrowers to work together to get through the economic difficulties caused by the emergency.

Although very few private loan borrowers were having trouble with their loan payments before the COVID–19 emergency, with less than 2 percent of loans charged off and less than 3 percent 90 days delinquent, as soon as the economic fallout from crisis became apparent, banks put plans in place to help their customers. Those plans were activated across the country so that borrowers can get the payment relief they need. Banks are constantly reviewing the situation and making changes as needed.

The following is based on a confidential survey of the Consumer Bankers Association's Education Funding Committee, which includes the banks that make most private student loans. The survey was first conducted April 1–8, 2020, and conducted again June 5–17, 2020. The second survey found that policies in place in April remained in place, with some additional measures added.

Banks are continuing to allow their borrowers to suspend payments simply by asking. Documentation is not required. No fees or penalties are being assessed. 90 days is the most common length of time requested and granted. Extensions are available if needed. Bank are instituting a policy to keep loans that were past due when the emergency began from becoming more delinquent.

Most private loans are co-signed, meaning the co-signer becomes responsible for the loan if the borrower defaults, but the banks are not attempting to collect from co-signers of loans where payments have been suspended. In other words, assistance given to the borrower is applied to the co-signer.

There were significantly more requests for help than normal during March and mid-April, mainly from borrowers seeking repayment relief. Banks granted them forbearance. Requests have levelled off for most, with the main requests being for a continuance of forbearance or other assistance previously granted.

Some banks are following common forbearance practices and continuing to charge interest while payments are deferred, and some are not. Those that do charge interest during the forbearance are not planning to capitalize it when payment restarts.

It is common for automatic payment arrangements to stop during a period of forbearance. Most banks are either retaining the discount for paying via ACH or, if the discount is stopped, will reinstate it after payments resume.

Tens of thousands of borrowers have been helped.

Lenders are not taking court action such as lawsuits to collect overdue loans.

Lenders either offer loan modifications to distressed borrowers or are developing or considering modification options. The modifications being offered are mostly the same as those usually available, but some banks are instituting or are in the process of instituting additional modifications.

Examples of Modification options offered are:

Interest rate reductions to lower monthly payments;

Extending the loan term to lower monthly payments;

Additional forbearance beyond the 90 days initially offered due to COVID–19.

Other COVID–19 related assistance examples:

Option to skip payments without penalty;

Allowing partial payments;

Waiving late fees;

Extending forbearance beyond 90 days if needed;

Suspending involuntary collection efforts.

All lenders offered forbearances retroactive to the start of the national emergency.

Lenders are providing ongoing COVID–19 related information to their customers via multiple channels, telling them to contact their servicer or lender if they need assistance. A variety of ways to contact the lender/servicer are available: website, phone, IVR, messaging/chat, and email. Not all offer all those options but all offer most of them.

Lenders are offering help to their communities. For example, one bank donated $1 million to food banks in five states.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. DEAN. Mr. Speaker, this amendment is a valuable amendment to tackle what we knew before the pandemic was a problem: $1.6 trillion in student loan debt, $119 billion of that for private student loans.

What we do know is, while the default rate on private student loans is less, it amounts to $4 billion of defaulting private student loan debts.

That is not an inconsequential amount of money.

This amendment really comes from me as a former professor, as a mother, and as a grandmother. The burden of student loan debt in this country is too high, and now, as a result of a pandemic, through no fault of their own, many borrowers are falling into delinquency, which will hurt our economy, will hurt their buying power, and will hurt their credit rating for a long time to come. So I proudly produced this amendment, and I ask for support.

Mr. Speaker, I reserve the balance of my time.

□ 1630

Mr. LUETKEMEYER. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to discuss the flaws of this amendment as ranking member of the Committee on Education and Labor, which has jurisdiction over the Federal student loans.

Federal student loans dominate the education loan marketplace, with roughly 92 percent of all outstanding student loans.

Mr. Speaker, proponents of Big Government have succeeded in offering the most generous loan terms in the marketplace, but the private student loan marketplace hasn't made the same mistakes the Federal Government has. The private student loan companies underwrite their investments. Their model fosters student success because that is the only way they, as a business, can succeed.

It was stated earlier that students had to make payments on their loans in the past few months. Well, that is what they agreed to do and what all borrowers agree to do, Mr. Speaker. That is the way it works.

Mr. Speaker, I urge my colleagues to reject this amendment which will complete the government takeover of the student loan industry and, in the process, fail to set students up for success.

Ms. DEAN. Just for some final thoughts, Mr. Speaker, I want to reiterate that this is a commonsense requirement that helps both the servicers and the borrowers. Remember, the servicers will receive a lump-sum payment and should, therefore, be able to make sure that the subsequent payments by borrowers are sustainable for borrowers.

Forbearance is something that we built into the CARES Act, but not in any way for student loan borrowers. This is not without precedent. It is valuable to help student loan borrowers when, through no fault of their own, they are in an economic position of possible default.

I will close, mindful of the great loss that we had over the weekend. I am

mindful, prayerful, and thankful for the role model and friendship of our colleague, JOHN LEWIS, and how he fought for equity for all people and how he fought to lift up others.

Mr. Speaker, I urge Members to support my amendment, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, in closing, I would just remind my colleagues of the real purpose of this amendment. It is just to socialize the entire student loan industry.

Rather than working to address the underlying causes of the student loan crisis, my colleagues believe the Federal Government should take over the entire program. This is the exact opposite of what we should be doing. We should be analyzing the causes of rising tuition. We should be strengthening the underwriting standards used by the Federal Government. The private sector should be held out as a model, not as a scapegoat.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the previous question is ordered on the amendment offered by the gentlewoman from Pennsylvania (Ms. DEAN).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SMITH OF WASHINGTON

The SPEAKER pro tempore (Ms. DEGETTE). It is now in order to consider an amendment en bloc consisting of amendments printed in House Report 116–457.

Mr. SMITH of Washington. Madam Speaker, pursuant to House Resolution 1053, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 1, 2, 10, 12, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, and 407, printed in House Report 116–457, offered by Mr. SMITH of Washington:

AMENDMENT NO. 1 OFFERED BY MRS. CAROLYN P. MALONEY OF NEW YORK

Add at the end the following:

DIVISION F—CORPORATE TRANSPARENCY ACT OF 2019

SEC. 6001. SHORT TITLE.

This division may be cited as the ''Corporate Transparency Act of 2019''.

SEC. 6002. FINDINGS.

Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States require information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information at the time of incorporation than is needed to obtain a bank account or driver's license and typically does not name a single beneficial owner.

(4) Criminals have exploited State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, proliferation financing, drug and human trafficking, money laundering, tax evasion, counterfeiting, piracy, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Department of the Treasury, and the Government Accountability Office, and others.

(6) In July 2006, the leading international antimoney laundering standard-setting body, the Financial Action Task Force on Money Laundering (in this section referred to as the ''FATF''), of which the United States is a member, issued a report that criticizes the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the United States to correct this deficiency by July 2008. In December 2016, FATF issued another evaluation of the United States, which found that little progress has been made over the last ten years to address this problem. It identified the ''lack of timely access to adequate, accurate and current beneficial ownership information'' as a fundamental gap in United States efforts to combat money laundering and terrorist finance.

(7) In response to the 2006 FATF report, the United States has urged the States to obtain beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) In contrast to practices in the United States, all 28 countries in the European Union are required to have corporate registries that include beneficial ownership information.

(9) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to strengthen law enforcement investigations of suspect corporations and limited liability companies, to set a clear, universal standard for State incorporation practices, and to bring the United States into compliance with international anti-money laundering standards, Federal legislation is needed to require the collection of beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 6003. TRANSPARENT INCORPORATION PRACTICES.

(a) IN GENERAL.—

(1) AMENDMENT TO THE BANK SECRECY ACT.—Chapter 53 of title 31, United States Code, is amended by inserting after section 5332 the following new section:

''§ 5333 Transparent incorporation practices

''(a) REPORTING REQUIREMENTS.—

''(1) BENEFICIAL OWNERSHIP REPORTING.—

''(A) IN GENERAL.—Each applicant to form a corporation or limited liability company under the laws of a State or Indian Tribe shall file a report with FinCEN containing a list of the beneficial owners of the corporation or limited liability company that—

''(i) except as provided in paragraphs (3) and (4), and subject to paragraph (2), identifies each beneficial owner by—

''(I) full legal name;

''(II) date of birth;

''(III) current residential or business street address; and

''(IV) a unique identifying number from a non-expired passport issued by the United States, a non-expired personal identification card, or a non-expired driver's license issued by a State; and

''(ii) if the applicant is not a beneficial owner, also provides the identification information described in clause (i) relating to such applicant.

''(B) UPDATED INFORMATION.—Each corporation or limited liability company formed under the laws of a State or Indian Tribe shall—

''(i) submit to FinCEN an annual filing containing a list of—

''(I) the current beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner; and

''(II) any changes in the beneficial owners of the corporation or limited liability company during the previous year; and

''(ii) pursuant to any rule issued by the Secretary of the Treasury under subparagraph (C), update the list of the beneficial owners of the corporation or limited liability company within the time period prescribed by such rule.

''(C) RULEMAKING ON UPDATING INFORMATION.—Not later than 9 months after the completion of the study required under section 4(a)(1) of the Corporate Transparency Act of 2019, the Secretary of the Treasury shall consider the findings of such study and, if the Secretary determines it to be necessary or appropriate, issue a rule requiring corporations and limited liability companies to update the list of the beneficial owners of the corporation or limited liability company within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner.

''(D) STATE NOTIFICATION.—Each State in which a corporation or limited liability company is being formed shall notify each applicant of the requirements listed in subparagraphs (A) and (B).

''(2) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection, does not have a nonexpired passport issued by the United States, a nonexpired personal identification card, or a non-expired driver's license issued by a State, each such person shall provide to FinCEN the full legal name, current residential or business street address, a unique identifying number from a non-expired passport issued by a foreign government, and a legible and credible copy of

the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for each beneficial owner, and each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a written certification by a person residing in the State or Indian country under the jurisdiction of the Indian Tribe forming the entity that the applicant, corporation, or limited liability company—

''(A) has obtained for each such beneficial owner, a current residential or business street address and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

''(B) has verified the full legal name, address, and identity of each such person;

''(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request of FinCEN; and

''(D) will retain the information and proof of verification under this paragraph until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State or Indian Tribe.

''(3) EXEMPT ENTITIES.—

''(A) IN GENERAL.—With respect to an applicant to form a corporation or limited liability company under the laws of a State or Indian Tribe, if such entity is described in subparagraph (C) or (D) of subsection (d)(4) and will be exempt from the beneficial ownership disclosure requirements under this subsection, such applicant, or a prospective officer, director, or similar agent of the applicant, shall file a written certification with FinCEN—

''(i) identifying the specific provision of subsection (d)(4) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1) and (2);

''(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(B) EXISTING CORPORATIONS OR LIMITED LIABILITY COMPANIES.—On and after the date that is 2 years after the final regulations are issued to carry out this section, a corporation or limited liability company formed under the laws of the State or Indian Tribe before such date shall be subject to the requirements of this subsection unless an officer, director, or similar agent of the entity submits to FinCEN a written certification—

''(i) identifying the specific provision of subsection (d)(4) under which the entity is exempt from the requirements under paragraphs (1) and (2);

''(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(4); and

''(iii) providing identification information for the officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (2).

''(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(4) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State or Indian Tribe, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

''(4) FINCEN ID NUMBERS.—

''(A) ISSUANCE OF FINCEN ID NUMBER.—

''(i) IN GENERAL.—FinCEN shall issue a FinCEN ID number to any individual who requests such a number and provides FinCEN with the information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(ii) UPDATING OF INFORMATION.—An individual with a FinCEN ID number shall submit an annual filing with FinCEN updating any information described under subclauses (I) through (IV) of paragraph (1)(A)(i).

''(B) USE OF FINCEN ID NUMBER IN REPORTING REQUIREMENTS.—Any person required to report the information described under paragraph (1)(A)(i) with respect to an individual may instead report the FinCEN ID number of the individual.

''(C) TREATMENT OF INFORMATION SUBMITTED FOR FINCEN ID NUMBER.—For purposes of this section, any information submitted under subparagraph (A) shall be deemed to be beneficial ownership information.

''(5) RETENTION AND DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION BY FINCEN.—

''(A) RETENTION OF INFORMATION.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State or Indian Tribe shall be maintained by FinCEN until the end of the 5-year period (or such other period of time as the Secretary of the Treasury may, by rule, determine) beginning on the date that the corporation or limited liability company terminates.

''(B) DISCLOSURE OF INFORMATION.—Beneficial ownership information reported to FinCEN pursuant to this section shall be provided by FinCEN only upon receipt of—

''(i) subject to subparagraph (C), a request, through appropriate protocols, by a local, Tribal, State, or Federal law enforcement agency;

''(ii) a request made by a Federal agency on behalf of a law enforcement agency of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28; or

''(iii) a request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law.

''(C) APPROPRIATE PROTOCOLS.—

''(i) PRIVACY.—The protocols described in subparagraph (B)(i) shall—

''(I) protect the privacy of any beneficial ownership information provided by FinCEN to a local, Tribal, State, or Federal law enforcement agency;

''(II) ensure that a local, Tribal, State, or Federal law enforcement agency requesting beneficial ownership information has an existing investigatory basis for requesting such information;

''(III) ensure that access to beneficial ownership information is limited to authorized users at a local, Tribal, State, or Federal law enforcement agency who have undergone appropriate training, and refresher training no less than every two years, and that the identity of such authorized users is verified through appropriate mechanisms, such as two-factor authentication;

''(IV) include an audit trail of requests for beneficial ownership information by a local, Tribal, State, or Federal law enforcement agency, including, as necessary, information concerning queries made by authorized users at a local, Tribal, State, or Federal law enforcement agency;

''(V) require that every local, Tribal, State, or Federal law enforcement agency that receives beneficial ownership information from FinCEN conducts an annual audit to verify that the beneficial ownership information received from FinCEN has been accessed and used appropriately, and consistent with this paragraph; and

''(VI) require FinCEN to conduct an annual audit of every local, Tribal, State, or Federal law enforcement agency that has received beneficial ownership information to ensure that such agency has requested beneficial ownership information, and has used any beneficial ownership information received from FinCEN, appropriately, and consistent with this paragraph.

''(ii) LIMITATION ON USE.—Beneficial ownership information provided to a local, Tribal, State, or Federal law enforcement agency under this paragraph may only be used for law enforcement, national security, or intelligence purposes.

''(D) ACCESS PROCEDURES.—FinCEN shall establish stringent procedures for the protection and proper use of beneficial ownership information disclosed pursuant to subparagraph (B), including procedures to ensure such information is not being inappropriately accessed or misused by law enforcement agencies.

''(E) REPORT TO CONGRESS.—FinCEN shall issue an annual report to Congress stating—

''(i) the number of times law enforcement agencies and financial institutions have accessed beneficial ownership information pursuant to subparagraph (B);

''(ii) the number of times beneficial ownership information reported to FinCEN pursuant to this section was inappropriately accessed, and by whom; and

''(iii) the number of times beneficial ownership information was disclosed under subparagraph (B) pursuant to a subpoena.

''(F) DISCLOSURE OF NON-PII DATA.—Notwithstanding subparagraph (B), FinCEN may issue guidance and otherwise make materials available to financial institutions and the public using beneficial ownership information reported pursuant to this section if such information is aggregated in a manner that removes all personally identifiable information. For purposes of this subparagraph, 'personally identifiable information' includes information that would allow for the identification of a particular corporation or limited liability company.

''(b) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation or limited liability company formed under the laws of a State or Indian Tribe may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

''(c) PENALTIES.—

''(1) IN GENERAL.—It shall be unlawful for any person to affect interstate or foreign commerce by—

''(A) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to FinCEN in accordance with this section;

''(B) willfully failing to provide complete or updated beneficial ownership information to FinCEN in accordance with this section; or

''(C) knowingly disclosing the existence of a subpoena or other request for beneficial ownership information reported pursuant to this section, except—

''(i) to the extent necessary to fulfill the authorized request; or

''(ii) as authorized by the entity that issued the subpoena, or other request.

''(2) CIVIL AND CRIMINAL PENALTIES.—Any person who violates paragraph (1)—

''(A) shall be liable to the United States for a civil penalty of not more than $10,000; and

''(B) may be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

''(3) LIMITATION.—Any person who negligently violates paragraph (1) shall not be subject to civil or criminal penalties under paragraph (2).

''(4) WAIVER.—The Secretary of the Treasury may waive the penalty for violating paragraph (1) if the Secretary determines that the violation was due to reasonable cause and was not due to willful neglect.

''(5) CRIMINAL PENALTY FOR THE MISUSE OR UNAUTHORIZED DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.—The criminal penalties provided for under section 5322 shall apply to a violation of this section to the same extent as such criminal penalties apply to a violation described in section 5322, if the violation of this section consists of the misuse or unauthorized disclosure of beneficial ownership information.

''(d) DEFINITIONS.—For the purposes of this section:

''(1) APPLICANT.—The term 'applicant' means any natural person who files an application to form a corporation or limited liability company under the laws of a State or Indian Tribe.

''(2) BANK SECRECY ACT.—The term 'Bank Secrecy Act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.

''(3) BENEFICIAL OWNER.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'beneficial owner' means a natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(i) exercises substantial control over a corporation or limited liability company;

''(ii) owns 25 percent or more of the equity interests of a corporation or limited liability company; or

''(iii) receives substantial economic benefits from the assets of a corporation or limited liability company.

''(B) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(i) a minor child, as defined in the State or Indian Tribe in which the entity is formed;

''(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(iii) a person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the person;

''(iv) a person whose only interest in a corporation or limited liability company is through a right of inheritance; or

''(v) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

''(C) SUBSTANTIAL ECONOMIC BENEFITS DEFINED.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), a natural person receives substantial economic benefits from the assets of a corporation or limited liability company if the person has an entitlement to more than a specified percentage of the funds or assets of the corporation or limited liability company, which the Secretary of the Treasury shall, by rule, establish.

''(ii) RULEMAKING CRITERIA.—In establishing the percentage under clause (i), the Secretary of the Treasury shall seek to—

''(I) provide clarity to corporations and limited liability companies with respect to the identification and disclosure of a natural person who receives substantial economic benefits from the assets of a corporation or limited liability company; and

''(II) identify those natural persons who, as a result of the substantial economic benefits they receive from the assets of a corporation or limited liability company, exercise a dominant influence over such corporation or limited liability company.

''(4) CORPORATION; LIMITED LIABILITY COMPANY.—The terms 'corporation' and 'limited liability company'—

''(A) have the meanings given such terms under the laws of the applicable State or Indian Tribe;

''(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability company under the laws of the applicable State or Indian Tribe;

''(C) do not include any entity that is—

''(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d));

''(ii) a business concern constituted, sponsored, or chartered by a State or Indian Tribe, a political subdivision of a State or Indian Tribe, under an interstate compact between two or more States, by a department or agency of the United States, or under the laws of the United States;

''(iii) a bank, as defined under—

''(I) section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a)); or

''(II) section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a));

''(iv) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

''(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841)) or a savings and loan holding company (as defined in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a));

''(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

''(vii) an exchange or clearing agency (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q–1);

''(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) or an investment adviser (as defined in section 202(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(11))), if the company or adviser is registered with the Securities and Exchange Commission, has filed an application for registration which has not been denied, under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or the Investment Adviser Act of 1940 (15 U.S.C. 80b–1 et seq.), or is an investment adviser described under section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l));

''(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–2));

''(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

''(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212) or an entity controlling, controlled by, or under common control of such a firm;

''(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

''(xiii) a church, charity, nonprofit entity, or other organization that is described in section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code of 1986, that has not been denied tax exempt status, and that has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

''(xiv) a financial market utility designated by the Financial Stability Oversight Council under section 804 of the Dodd-Frank Wall Street Reform and Consumer Protection Act;

''(xv) an insurance producer (as defined in section 334 of the Gramm-Leach-Bliley Act);

''(xvi) any pooled investment vehicle that is operated or advised by a person described in clause (iii), (iv), (v), (vi), (viii), (ix), or (xi);

''(xvii) any business concern that—

''(I) employs more than 20 employees on a full-time basis in the United States;

''(II) files income tax returns in the United States demonstrating more than $5,000,000 in gross receipts or sales; and

''(III) has an operating presence at a physical office within the United States; or

''(xviii) any corporation or limited liability company formed and owned by an entity described in this clause or in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), or (xvi); and

''(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury and the Attorney General of the United States have jointly determined, by rule of otherwise, to be exempt from the requirements of subsection (a), if the Secretary and the Attorney General jointly determine that requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or prosecute terrorism, money laundering, tax evasion, or other misconduct.

''(5) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network of the Department of the Treasury.

''(6) INDIAN COUNTRY.—The term 'Indian country' has the meaning given that term in section 1151 of title 18.

''(7) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given that term under section 102 of the Federally Recognized Indian Tribe List Act of 1994.

''(8) PERSONAL IDENTIFICATION CARD.—The term 'personal identification card' means an identification document issued by a State, Indian Tribe, or local government to an individual solely for the purpose of identification of that individual.

''(9) STATE.—The term 'State' means any State, commonwealth, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, or the United States Virgin Islands.''.

(2) RULEMAKING.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out this division and the amendments made by this division, including, to the extent necessary, to clarify the

definitions in section 5333(d) of title 31, United States Code.

(B) REVISION OF FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall revise the final rule titled ''Customer Due Diligence Requirements for Financial Institutions'' (May 11, 2016; 81 Fed. Reg. 29397) to—

(i) bring the rule into conformance with this division and the amendments made by this division;

(ii) account for financial institutions' access to comprehensive beneficial ownership information filed by corporations and limited liability companies, under threat of civil and criminal penalties, under this division and the amendments made by this division; and

(iii) reduce any burdens on financial institutions that are, in light of the enactment of this division and the amendments made by this division, unnecessary or duplicative.

(3) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(A) in section 5321(a)—

(i) in paragraph (1), by striking ''sections 5314 and 5315'' each place it appears and inserting ''sections 5314, 5315, and 5333''; and

(ii) in paragraph (6), by inserting ''(except section 5333)'' after ''subchapter'' each place it appears; and

(B) in section 5322, by striking ''section 5315 or 5324'' each place it appears and inserting ''section 5315, 5324, or 5333''.

(4) TABLE OF CONTENTS.—The table of contents of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5333. Transparent incorporation practices.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 for each of fiscal years 2021 and 2022 to the Financial Crimes Enforcement Network to carry out this division and the amendments made by this division.

(c) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor or subcontractor who is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

SEC. 6004. STUDIES AND REPORTS.

(a) UPDATING OF BENEFICIAL OWNERSHIP INFORMATION.—

(1) STUDY.—The Secretary of the Treasury, in consultation with the Attorney General of the United States, shall conduct a study to evaluate—

(A) the necessity of a requirement for corporations and limited liability companies to update the list of their beneficial owners within a specified amount of time after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner, taking into account the annual filings required under section 5333(a)(1)(B)(i) of title 31, United States Code, and the information contained in such annual filings; and

(B) the burden that a requirement to update the list of beneficial owners within a specified period of time after a change in such list of beneficial owners would impose on corporations and limited liability companies.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report on the study required under paragraph (1) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) PUBLIC COMMENT.—The Secretary of the Treasury shall seek and consider public input, comments, and data in order to conduct the study required under subparagraph paragraph (1).

(b) OTHER LEGAL ENTITIES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report—

(1) identifying each State or Indian Tribe that has procedures that enable persons to form or register under the laws of the State or Indian Tribe partnerships, trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State or Indian Tribe that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State or Indian Tribe to provide information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this division) or beneficiaries of such entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct;

(B) has impeded investigations into entities suspected of such misconduct; and

(C) increases the costs to financial institutions of complying with due diligence requirements imposed under the Bank Secrecy Act, the USA PATRIOT Act, or other applicable Federal, State, or Tribal law; and

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

(c) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this division and the amendments made by this division in—

(1) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

(d) ANNUAL REPORT ON BENEFICIAL OWNERSHIP INFORMATION.—

(1) REPORT.—The Secretary of the Treasury shall issue an annual report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with respect to the beneficial ownership information collected pursuant to section 5333 of title 31, United States Code, that contains—

(A) aggregate data on the number of beneficial owners per reporting corporation or limited liability company;

(B) the industries or type of business of each reporting corporation or limited liability company; and

(C) the locations of the beneficial owners.

(2) PRIVACY.—In issuing reports under paragraph (1), the Secretary shall not reveal the identities of beneficial owners or names of the reporting corporations or limited liability companies.

SEC. 6005. DEFINITIONS.

In this division, the terms ''Bank Secrecy Act'', ''beneficial owner'', ''corporation'', and ''limited liability company'' have the meaning given those terms, respectively, under section 5333(d) of title 31, United States Code.

DIVISION G—COUNTER ACT OF 2019

SEC. 7001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Coordinating Oversight, Upgrading and Innovating Technology, and Examiner Reform Act of 2019'' or the ''COUNTER Act of 2019''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION G—COUNTER ACT OF 2019

Sec. 7001. Short title; table of contents.
Sec. 7002. Bank Secrecy Act definition.

TITLE I—STRENGTHENING TREASURY

Sec. 7101. Improving the definition and purpose of the Bank Secrecy Act.
Sec. 7102. Special hiring authority.
Sec. 7103. Civil Liberties and Privacy Officer.
Sec. 7104. Civil Liberties and Privacy Council.
Sec. 7105. International coordination.
Sec. 7106. Treasury Attachés Program.
Sec. 7107. Increasing technical assistance for international cooperation.
Sec. 7108. FinCEN Domestic Liaisons.
Sec. 7109. FinCEN Exchange.
Sec. 7110. Study and strategy on trade-based money laundering.
Sec. 7111. Study and strategy on de-risking.
Sec. 7112. AML examination authority delegation study.
Sec. 7113. Study and strategy on Chinese money laundering.

TITLE II—IMPROVING AML/CFT OVERSIGHT

Sec. 7201. Pilot program on sharing of suspicious activity reports within a financial group.
Sec. 7202. Sharing of compliance resources.
Sec. 7203. GAO Study on feedback loops.
Sec. 7204. FinCEN study on BSA value.
Sec. 7205. Sharing of threat pattern and trend information.
Sec. 7206. Modernization and upgrading whistleblower protections.
Sec. 7207. Certain violators barred from serving on boards of United States financial institutions.
Sec. 7208. Additional damages for repeat Bank Secrecy Act violators.
Sec. 7209. Justice annual report on deferred and non-prosecution agreements.
Sec. 7210. Return of profits and bonuses.
Sec. 7211. Application of Bank Secrecy Act to dealers in antiquities.
Sec. 7212. Geographic targeting order.
Sec. 7213. Study and revisions to currency transaction reports and suspicious activity reports.
Sec. 7214. Streamlining requirements for currency transaction reports and suspicious activity reports.

TITLE III—MODERNIZING THE AML SYSTEM

Sec. 7301. Encouraging innovation in BSA compliance.
Sec. 7302. Innovation Labs.
Sec. 7303. Innovation Council.

Sec. 7304. Testing methods rulemaking.
Sec. 7305. FinCEN study on use of emerging technologies.
Sec. 7306. Discretionary surplus funds.

SEC. 7002. BANK SECRECY ACT DEFINITION.

Section 5312(a) of title 31, United States Code, is amended by adding at the end the following:

''(7) BANK SECRECY ACT.—The term 'Bank Secrecy act' means—

''(A) section 21 of the Federal Deposit Insurance Act;

''(B) chapter 2 of title I of Public Law 91–508; and

''(C) this subchapter.''.

TITLE I—STRENGTHENING TREASURY

SEC. 7101. IMPROVING THE DEFINITION AND PURPOSE OF THE BANK SECRECY ACT.

Section 5311 of title 31, United States Code, is amended—

(1) by inserting ''to protect our national security, to safeguard the integrity of the international financial system, and'' before ''to require''; and

(2) by inserting ''to law enforcement and'' before ''in criminal''.

SEC. 7102. SPECIAL HIRING AUTHORITY.

(a) IN GENERAL.—Section 310 of title 31, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (g); and

(2) by inserting after subsection (c) the following:

''(d) SPECIAL HIRING AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in FinCEN.

''(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed pursuant to paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A), (B), (E), and (F) of subsection (b)(2).''.

(b) REPORT.—Not later than 360 days after the date of enactment of this Act, and every year thereafter for 7 years, the Director of the Financial Crimes Enforcement Network shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

(1) the number of new employees hired since the preceding report through the authorities described under section 310(d) of title 31, United States Code, along with position titles and associated pay grades for such hires; and

(2) a copy of any Federal Government survey of staff perspectives at the Office of Terrorism and Financial Intelligence, including findings regarding the Office and the Financial Crimes Enforcement Network from the most recently administered Federal Employee Viewpoint Survey.

SEC. 7103. CIVIL LIBERTIES AND PRIVACY OFFICER.

(a) APPOINTMENT OF OFFICERS.—Not later than the end of the 3-month period beginning on the date of enactment of this Act, a Civil Liberties and Privacy Officer shall be appointed, from among individuals who are attorneys with expertise in data privacy laws—

(1) within each Federal functional regulator, by the head of the Federal functional regulator;

(2) within the Financial Crimes Enforcement Network, by the Secretary of the Treasury; and

(3) within the Internal Revenue Service Small Business and Self-Employed Tax Center, by the Secretary of the Treasury.

(b) DUTIES.—Each Civil Liberties and Privacy Officer shall, with respect to the applicable regulator, Network, or Center within which the Officer is located—

(1) be consulted each time Bank Secrecy Act or anti-money laundering regulations affecting civil liberties or privacy are developed or reviewed;

(2) be consulted on information-sharing programs, including those that provide access to personally identifiable information;

(3) ensure coordination and clarity between anti-money laundering, civil liberties, and privacy regulations;

(4) contribute to the evaluation and regulation of new technologies that may strengthen data privacy and the protection of personally identifiable information collected by each Federal functional regulator; and

(5) develop metrics of program success.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

SEC. 7104. CIVIL LIBERTIES AND PRIVACY COUNCIL.

(a) ESTABLISHMENT.—There is established the Civil Liberties and Privacy Council (hereinafter in this section referred to as the ''Council''), which shall consist of the Civil Liberties and Privacy Officers appointed pursuant to section 7103.

(b) CHAIR.—The Director of the Financial Crimes Enforcement Network shall serve as the Chair of the Council.

(c) DUTY.—The members of the Council shall coordinate on activities related to their duties as Civil Liberties Privacy Officers, but may not supplant the individual agency determinations on civil liberties and privacy.

(d) MEETINGS.—The meetings of the Council—

(1) shall be at the call of the Chair, but in no case may the Council meet less than quarterly;

(2) may include open and partially closed sessions, as determined necessary by the Council; and

(3) shall include participation by public and private entities, law enforcement agencies, and a representative of State bank supervisors (as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)).

(e) REPORT.—The Chair of the Council shall issue an annual report to the Congress on the program and policy activities, including the success of programs as measured by metrics of program success developed pursuant to section 103(b)(5), of the Council during the previous year and any legislative recommendations that the Council may have.

(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

SEC. 7105. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Secretary of the Treasury shall work with the Secretary's foreign counterparts, including through the Financial Action Task Force, the International Monetary Fund, the World Bank, the Egmont Group of Financial Intelligence Units, the Organisation for Economic Co-operation and Development, and the United Nations, to promote stronger anti-money laundering frameworks and enforcement of anti-money laundering laws.

(b) COOPERATION GOAL.—In carrying out subsection (a), the Secretary of the Treasury may work directly with foreign counterparts and other organizations where the goal of cooperation can best be met.

(c) INTERNATIONAL MONETARY FUND.—

(1) SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

''SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

''The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the increased use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.''.

(2) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) a description of—

(A) the activities of the International Monetary Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(B) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget, and the level of such support.

(3) SUNSET.—Effective on the date that is the end of the 4-year period beginning on the date of enactment of this Act, section 1629 of the International Financial Institutions Act, as added by paragraph (1), is repealed.

SEC. 7106. TREASURY ATTACHÉS PROGRAM.

(a) IN GENERAL.—Title 31, United States Code, is amended by inserting after section 315 the following:

''§ 316. Treasury Attachés Program

''(a) IN GENERAL.—There is established the Treasury Attachés Program, under which the Secretary of the Treasury shall appoint employees of the Department of the Treasury, after nomination by the Director of the Financial Crimes Enforcement Network ('FinCEN'), as a Treasury attaché, who shall—

''(1) be knowledgeable about the Bank Secrecy Act and anti-money laundering issues;

''(2) be co-located in a United States embassy;

''(3) perform outreach with respect to Bank Secrecy Act and anti-money laundering issues;

''(4) establish and maintain relationships with foreign counterparts, including employees of ministries of finance, central banks, and other relevant official entities;

''(5) conduct outreach to local and foreign financial institutions and other commercial actors, including—

''(A) information exchanges through FinCEN and FinCEN programs; and

''(B) soliciting buy-in and cooperation for the implementation of—

''(i) United States and multilateral sanctions; and

''(ii) international standards on anti-money laundering and the countering of the financing of terrorism; and

''(6) perform such other actions as the Secretary determines appropriate.

''(b) NUMBER OF ATTACHÉS.—The number of Treasury attachés appointed under this section at any one time shall be not fewer than

6 more employees than the number of employees of the Department of the Treasury serving as Treasury attachés on March 1, 2020.

''(c) COMPENSATION.—Each Treasury attaché appointed under this section and located at a United States embassy shall receive compensation at the higher of—

''(1) the rate of compensation provided to a Foreign Service officer at a comparable career level serving at the same embassy; or

''(2) the rate of compensation the Treasury attaché would otherwise have received, absent the application of this subsection.

''(d) BANK SECRECY ACT DEFINED.—In this section, the term 'Bank Secrecy Act' has the meaning given that term under section 5312.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 3 of title 31, United States Code, is amended by inserting after the item relating to section 315 the following:

''316. Treasury Attachés Program.''.

SEC. 7107. INCREASING TECHNICAL ASSISTANCE FOR INTERNATIONAL COOPERATION.

(a) IN GENERAL.—There is authorized to be appropriated for each of fiscal years 2021 through 2025 to the Secretary of the Treasury for purposes of providing technical assistance that promotes compliance with international standards and best practices, including in particular those aimed at the establishment of effective anti-money laundering and countering the financing of terrorism regimes, in an amount equal to twice the amount authorized for such purpose for fiscal year 2020.

(b) ACTIVITY AND EVALUATION REPORT.—Not later than 360 days after enactment of this Act, and every year thereafter for five years, the Secretary of the Treasury shall issue a report to the Congress on the assistance (as described under subsection (a)) of the Office of Technical Assistance of the Department of the Treasury containing—

(1) a narrative detailing the strategic goals of the Office in the previous year, with an explanation of how technical assistance provided in the previous year advances the goals;

(2) a description of technical assistance provided by the Office in the previous year, including the objectives and delivery methods of the assistance;

(3) a list of beneficiaries and providers (other than Office staff) of the technical assistance;

(4) a description of how technical assistance provided by the Office complements, duplicates, or otherwise affects or is affected by technical assistance provided by the international financial institutions (as defined under section 1701(c) of the International Financial Institutions Act); and

(5) a copy of any Federal Government survey of staff perspectives at the Office of Technical Assistance, including any findings regarding the Office from the most recently administered Federal Employee Viewpoint Survey.

SEC. 7108. FINCEN DOMESTIC LIAISONS.

Section 310 of title 31, United States Code, as amended by section 7102, is further amended by inserting after subsection (d) the following:

''(e) FINCEN DOMESTIC LIAISONS.—

''(1) IN GENERAL.—The Director of FinCEN shall appoint at least 6 senior FinCEN employees as FinCEN Domestic Liaisons, who shall—

''(A) each be assigned to focus on a specific region of the United States;

''(B) be located at an office in such region (or co-located at an office of the Board of Governors of the Federal Reserve System in such region); and

''(C) perform outreach to BSA officers at financial institutions (including non-bank financial institutions) and persons who are not financial institutions, especially with respect to actions taken by FinCEN that require specific actions by, or have specific effects on, such institutions or persons, as determined by the Director.

''(2) DEFINITIONS.—In this subsection:

''(A) BSA OFFICER.—The term 'BSA officer' means an employee of a financial institution whose primary job responsibility involves compliance with the Bank Secrecy Act, as such term is defined under section 5312.

''(B) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 7109. FINCEN EXCHANGE.

Section 310 of title 31, United States Code, as amended by section 7108, is further amended by inserting after subsection (e) the following:

''(f) FINCEN EXCHANGE.—

''(1) ESTABLISHMENT.—The FinCEN Exchange is hereby established within FinCEN, which shall consist of the FinCEN Exchange program of FinCEN in existence on the day before the date of enactment of this paragraph.

''(2) PURPOSE.—The FinCEN Exchange shall facilitate a voluntary public-private information sharing partnership among law enforcement, financial institutions, and FinCEN to—

''(A) effectively and efficiently combat money laundering, terrorism financing, organized crime, and other financial crimes;

''(B) protect the financial system from illicit use; and

''(C) promote national security.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than one year after the date of enactment of this subsection, and annually thereafter for the next five years, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

''(i) an analysis of the efforts undertaken by the FinCEN Exchange and the results of such efforts;

''(ii) an analysis of the extent and effectiveness of the FinCEN Exchange, including any benefits realized by law enforcement from partnership with financial institutions; and

''(iii) any legislative, administrative, or other recommendations the Secretary may have to strengthen FinCEN Exchange efforts.

''(B) CLASSIFIED ANNEX.—Each report under subparagraph (A) may include a classified annex.

''(4) INFORMATION SHARING REQUIREMENT.—Information shared pursuant to this subsection shall be shared in compliance with all other applicable Federal laws and regulations.

''(5) RULE OF CONSTRUCTION.—Nothing under this subsection may be construed to create new information sharing authorities related to the Bank Secrecy Act (as such term is defined under section 5312 of title 31, United States Code).

''(6) FINANCIAL INSTITUTION DEFINED.—In this subsection, the term 'financial institution' has the meaning given that term under section 5312.''.

SEC. 7110. STUDY AND STRATEGY ON TRADE-BASED MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study, in consultation with appropriate private sector stakeholders and Federal departments and agencies, on trade-based money laundering.

(b) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) proposed strategies to combat trade-based money laundering.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex.

(d) CONTRACTING AUTHORITY.—The Secretary may contract with a private third-party to carry out the study required under this section. The authority of the Secretary to enter into contracts under this subsection shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

SEC. 7111. STUDY AND STRATEGY ON DE-RISKING.

(a) REVIEW.—The Secretary of the Treasury, in consultation with appropriate private sector stakeholders, examiners, the Federal functional regulators (as defined under section 7103), State bank supervisors, and other relevant stakeholders, shall undertake a formal review of—

(1) any adverse consequences of financial institutions de-risking entire categories of relationships, including charities, embassy accounts, money services businesses (as defined under section 1010.100(ff) of title 31, Code of Federal Regulations) and their agents, countries, international and domestic regions, and respondent banks;

(2) the reasons why financial institutions are engaging in de-risking;

(3) the association with and effects of de-risking on money laundering and financial crime actors and activities;

(4) the most appropriate ways to promote financial inclusion, particularly with respect to developing countries, while maintaining compliance with the Bank Secrecy Act, including an assessment of policy options to—

(A) more effectively tailor Federal actions and penalties to the size of foreign financial institutions and any capacity limitations of foreign governments; and

(B) reduce compliance costs that may lead to the adverse consequences described in paragraph (1);

(5) formal and informal feedback provided by examiners that may have led to de-risking;

(6) the relationship between resources dedicated to compliance and overall sophistication of compliance efforts at entities that may be experiencing de-risking versus those that have not experienced de-risking; and

(7) any best practices from the private sector that facilitate correspondent bank relationships.

(b) DE-RISKING STRATEGY.—The Secretary shall develop a strategy to reduce de-risking and adverse consequences related to de-risking.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary, in consultation with the Federal functional regulators, State bank supervisors, and other relevant stakeholders, shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) DE-RISKING.—The term ''de-risking'' means the wholesale closing of accounts or limiting of financial services for a category of customer due to unsubstantiated risk as it relates to compliance with the Bank Secrecy Act.

(2) BSA TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 off title 31, United States Code.

(3) STATE BANK SUPERVISOR.—The term ''State bank supervisor'' has the meaning given that term under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

SEC. 7112. AML EXAMINATION AUTHORITY DELEGATION STUDY.

(a) STUDY.—The Secretary of the Treasury, in consultation with State bank supervisors (as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and other relevant stakeholders, shall carry out a study on the Secretary's delegation of examination authority under the Bank Secrecy Act, including—

(1) an evaluation of the efficacy of the delegation, especially with respect to the mission of the Bank Secrecy Act;

(2) whether the delegated agencies have appropriate resources to perform their delegated responsibilities; and

(3) whether the examiners in delegated agencies have sufficient training and support to perform their responsibilities.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) recommendations to improve the efficacy of delegation authority, including the potential for de-delegation of any or all such authority where it may be appropriate.

(c) BANK SECRECY ACT DEFINED.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 off title 31, United States Code.

SEC. 7113. STUDY AND STRATEGY ON CHINESE MONEY LAUNDERING.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the extent and effect of Chinese money laundering activities in the United States, including territories and possessions of the United States, and worldwide.

(b) STRATEGY TO COMBAT CHINESE MONEY LAUNDERING.—Upon the completion of the study required under subsection (a), the Secretary shall, in consultation with such other Federal departments and agencies as the Secretary determines appropriate, develop a strategy to combat Chinese money laundering activities.

(c) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue a report to Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed under subsection (b).

TITLE II—IMPROVING AML/CFT OVERSIGHT

SEC. 7201. PILOT PROGRAM ON SHARING OF SUSPICIOUS ACTIVITY REPORTS WITHIN A FINANCIAL GROUP.

(a) IN GENERAL.—

(1) SHARING WITH FOREIGN BRANCHES AND AFFILIATES.—Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

''(5) PILOT PROGRAM ON SHARING WITH FOREIGN BRANCHES, SUBSIDIARIES, AND AFFILIATES.—

''(A) IN GENERAL.—The Secretary of the Treasury shall issue rules establishing the pilot program described under subparagraph (B), subject to such controls and restrictions as the Director of the Financial Crimes Enforcement Network determines appropriate, including controls and restrictions regarding participation by financial institutions and jurisdictions in the pilot program. In prescribing such rules, the Secretary shall ensure that the sharing of information described under such subparagraph (B) is subject to appropriate standards and requirements regarding data security and the confidentiality of personally identifiable information.

''(B) PILOT PROGRAM DESCRIBED.—The pilot program required under this paragraph shall—

''(i) permit a financial institution with a reporting obligation under this subsection to share reports (and information on such reports) under this subsection with the institution's foreign branches, subsidiaries, and affiliates for the purpose of combating illicit finance risks, notwithstanding any other provision of law except subparagraphs (A) and (C);

''(ii) terminate on the date that is five years after the date of enactment of this paragraph, except that the Secretary may extend the pilot program for up to two years upon submitting a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

''(I) a certification that the extension is in the national interest of the United States, with a detailed explanation of the reasons therefor;

''(II) an evaluation of the usefulness of the pilot program, including a detailed analysis of any illicit activity identified or prevented as a result of the program; and

''(III) a detailed legislative proposal providing for a long-term extension of the pilot program activities, including expected budgetary resources for the activities, if the Secretary determines that a long-term extension is appropriate.

''(C) PROHIBITION INVOLVING CERTAIN JURISDICTIONS.—In issuing the regulations required under subparagraph (A), the Secretary may not permit a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in—

''(i) the People's Republic of China;

''(ii) the Russian Federation; or

''(iii) a jurisdiction that—

''(I) is subject to countermeasures imposed by the Federal Government;

''(II) is a state sponsor of terrorism; or

''(III) the Secretary has determined cannot reasonably protect the privacy and confidentiality of such information or would otherwise use such information in a manner that is not consistent with the national interest of the United States.

''(D) IMPLEMENTATION UPDATES.—Not later than 360 days after the date rules are issued under subparagraph (A), and annually thereafter for three years, the Secretary, or the Secretary's designee, shall brief the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

''(i) the degree of any information sharing permitted under the pilot program, and a description of criteria used by the Secretary to evaluate the appropriateness of the information sharing;

''(ii) the effectiveness of the pilot program in identifying or preventing the violation of a United States law or regulation, and mechanisms that may improve such effectiveness; and

''(iii) any recommendations to amend the design of the pilot program.

''(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as limiting the Secretary's authority under provisions of law other than this paragraph to establish other permissible purposes or methods for a financial institution sharing reports (and information on such reports) under this subsection with the institution's foreign headquarters or with other branches of the same institution.

''(F) NOTICE OF USE OF OTHER AUTHORITY.—If the Secretary, pursuant to any authority other than that provided under this paragraph, permits a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in a foreign jurisdiction, the Secretary shall notify the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of such permission and the applicable foreign jurisdiction.

''(6) TREATMENT OF FOREIGN JURISDICTION-ORIGINATED REPORTS.—A report received by a financial institution from a foreign affiliate with respect to a suspicious transaction relevant to a possible violation of law or regulation shall be subject to the same confidentiality requirements provided under this subsection for a report of a suspicious transaction described under paragraph (1).''.

(2) NOTIFICATION PROHIBITIONS.—Section 5318(g)(2)(A) of title 31, United States Code, is amended—

(A) in clause (i), by inserting after ''transaction has been reported'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported''; and

(B) in clause (ii), by inserting after ''transaction has been reported,'' the following: ''or otherwise reveal any information that would reveal that the transaction has been reported,''.

(b) RULEMAKING.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out the amendments made by this section.

SEC. 7202. SHARING OF COMPLIANCE RESOURCES.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by adding at the end the following:

''(o) SHARING OF COMPLIANCE RESOURCES.—

''(1) SHARING PERMITTED.—Two or more financial institutions may enter into collaborative arrangements in order to more efficiently comply with the requirements of this subchapter.

''(2) OUTREACH.—The Secretary of the Treasury and the appropriate supervising agencies shall carry out an outreach program to provide financial institutions with information, including best practices, with respect to the sharing of resources described under paragraph (1).''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to require financial institutions to share resources.

SEC. 7203. GAO STUDY ON FEEDBACK LOOPS.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on—

(1) best practices within the United States Government for providing feedback (''feedback loop'') to relevant parties (including regulated private entities) on the usage and usefulness of personally identifiable information (''PII''), sensitive-but-unclassified (''SBU'') data, or similar information provided by such parties to Government users of such information and data (including law enforcement or regulators); and

(2) any practices or standards inside or outside the United States for providing feedback through sensitive information and public-private partnership information sharing efforts, specifically related to efforts to combat money laundering and other forms of illicit finance.

(b) REPORT.—Not later than the end of the 18-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of paragraphs (1) and (2) of subsection (a), any best practices or significant concerns identified by the Comptroller General, and their applicability to public-private partnerships and feedback loops with respect to United States efforts to combat money laundering and other forms of illicit finance; and

(3) recommendations to reduce or eliminate any unnecessary Government collection of the information described under subsection (a)(1).

SEC. 7204. FINCEN STUDY ON BSA VALUE.

(a) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study on Bank Secrecy Act value.

(b) REPORT.—Not later than the end of the 30-day period beginning on the date the study under subsection (a) is completed, the Director shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under this section.

(c) CLASSIFIED ANNEX.—The report required under this section may include a classified annex, if the Director determines it appropriate.

(d) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 7205. SHARING OF THREAT PATTERN AND TREND INFORMATION.

Section 5318(g) of title 31, United States Code, as amended by section 7201(a)(1), is further amended by adding at the end the following:

''(7) SHARING OF THREAT PATTERN AND TREND INFORMATION.—

''(A) SAR ACTIVITY REVIEW.—The Director of the Financial Crimes Enforcement Network shall restart publication of the 'SAR Activity Review – Trends, Tips & Issues', on not less than a semi-annual basis, to provide meaningful information about the preparation, use, and value of reports filed under this subsection by financial institutions, as well as other reports filed by financial institutions under the Bank Secrecy Act.

''(B) INCLUSION OF TYPOLOGIES.—In each publication described under subparagraph (A), the Director shall provide financial institutions with typologies, including data that can be adapted in algorithms (including for artificial intelligence and machine learning programs) where appropriate, on emerging money laundering and counter terror financing threat patterns and trends.

''(C) TYPOLOGY DEFINED.—For purposes of this paragraph, the term 'typology' means the various techniques used to launder money or finance terrorism.''.

SEC. 7206. MODERNIZATION AND UPGRADING WHISTLEBLOWER PROTECTIONS.

(a) REWARDS.—Section 5323(d) of title 31, United States Code, is amended to read as follows:

''(d) SOURCE OF REWARDS.—For the purposes of paying a reward under this section, the Secretary may, subject to amounts made available in advance by appropriation Acts, use criminal fine, civil penalty, or forfeiture amounts recovered based on the original information with respect to which the reward is being paid.''.

(b) WHISTLEBLOWER INCENTIVES.—Chapter 53 of title 31, United States Code, is amended—

(1) by inserting after section 5323 the following:

''§ 5323A. Whistleblower incentives

''(a) DEFINITIONS.—In this section:

''(1) COVERED JUDICIAL OR ADMINISTRATIVE ACTION.—The term 'covered judicial or administrative action' means any judicial or administrative action brought by FinCEN under the Bank Secrecy Act that results in monetary sanctions exceeding $1,000,000.

''(2) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network.

''(3) MONETARY SANCTIONS.—The term 'monetary sanctions', when used with respect to any judicial or administrative action, means—

''(A) any monies, including penalties, disgorgement, and interest, ordered to be paid; and

''(B) any monies deposited into a disgorgement fund as a result of such action or any settlement of such action.

''(4) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of a whistleblower;

''(B) is not known to FinCEN from any other source, unless the whistleblower is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

''(5) RELATED ACTION.—The term 'related action', when used with respect to any judicial or administrative action brought by FinCEN, means any judicial or administrative action that is based upon original information provided by a whistleblower that led to the successful enforcement of the action.

''(6) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(7) WHISTLEBLOWER.—The term 'whistleblower' means any individual who provides, or 2 or more individuals acting jointly who provide, information relating to a violation of laws enforced by FinCEN, in a manner established, by rule or regulation, by FinCEN.

''(b) AWARDS.—

''(1) IN GENERAL.—In any covered judicial or administrative action, or related action, the Secretary, under such rules as the Secretary may issue and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to FinCEN that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action.

''(2) SOURCE OF AWARDS.—For the purposes of paying any award under paragraph (1), the Secretary may, subject to amounts made available in advance by appropriation Acts, use monetary sanction amounts recovered based on the original information with respect to which the award is being paid.

''(c) DETERMINATION OF AMOUNT OF AWARD; DENIAL OF AWARD.—

''(1) DETERMINATION OF AMOUNT OF AWARD.—

''(A) DISCRETION.—The determination of the amount of an award made under subsection (b) shall be in the discretion of the Secretary.

''(B) CRITERIA.—In responding to a disclosure and determining the amount of an award made, FinCEN staff shall meet with the whistleblower to discuss evidence disclosed and rebuttals to the disclosure, and shall take into consideration—

''(i) the significance of the information provided by the whistleblower to the success of the covered judicial or administrative action;

''(ii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in a covered judicial or administrative action;

''(iii) the mission of FinCEN in deterring violations of the law by making awards to whistleblowers who provide information that lead to the successful enforcement of such laws; and

''(iv) such additional relevant factors as the Secretary may establish by rule.

''(2) DENIAL OF AWARD.—No award under subsection (b) shall be made—

''(A) to any whistleblower who is, or was at the time the whistleblower acquired the original information submitted to FinCEN, a member, officer, or employee of—

''(i) an appropriate regulatory agency;

''(ii) the Department of Justice;

''(iii) a self-regulatory organization; or

''(iv) a law enforcement organization;

''(B) to any whistleblower who is convicted of a criminal violation, or who the Secretary has a reasonable basis to believe committed a criminal violation, related to the judicial or administrative action for which the whistleblower otherwise could receive an award under this section;

''(C) to any whistleblower who gains the information through the performance of an audit of financial statements required under the Bank Secrecy Act and for whom such submission would be contrary to its requirements; or

''(D) to any whistleblower who fails to submit information to FinCEN in such form as the Secretary may, by rule, require.

''(3) STATEMENT OF REASONS.—For any decision granting or denying an award, the Secretary shall provide to the whistleblower a statement of reasons that includes findings of fact and conclusions of law for all material issues.

''(d) REPRESENTATION.—

''(1) PERMITTED REPRESENTATION.—Any whistleblower who makes a claim for an award under subsection (b) may be represented by counsel.

''(2) REQUIRED REPRESENTATION.—

''(A) IN GENERAL.—Any whistleblower who anonymously makes a claim for an award under subsection (b) shall be represented by counsel if the whistleblower anonymously submits the information upon which the claim is based.

''(B) DISCLOSURE OF IDENTITY.—Prior to the payment of an award, a whistleblower shall disclose their identity and provide such other information as the Secretary may require, directly or through counsel for the whistleblower.

''(e) APPEALS.—Any determination made under this section, including whether, to whom, or in what amount to make awards, shall be in the discretion of the Secretary. Any such determination, except the determination of the amount of an award if the award was made in accordance with subsection (b), may be appealed to the appropriate court of appeals of the United States not more than 30 days after the determination is issued by the Secretary. The court shall review the determination made by the

Secretary in accordance with section 706 of title 5.

''(f) EMPLOYEE PROTECTIONS.—The Secretary of the Treasury shall issue regulations protecting a whistleblower from retaliation, which shall be as close as practicable to the employee protections provided for under section 1057 of the Consumer Financial Protection Act of 2010.''; and

(2) in the table of contents for such chapter, by inserting after the item relating to section 5323 the following new item:

''5323A. Whistleblower incentives.''.

SEC. 7207. CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.

Section 5321 of title 31, United States Code, is amended by adding at the end the following:

''(f) CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.—

''(1) IN GENERAL.—An individual found to have committed an egregious violation of a provision of (or rule issued under) the Bank Secrecy Act shall be barred from serving on the board of directors of a United States financial institution for a 10-year period beginning on the date of such finding.

''(2) EGREGIOUS VIOLATION DEFINED.—With respect to an individual, the term 'egregious violation' means—

''(A) a felony criminal violation for which the individual was convicted; and

''(B) a civil violation where the individual willfully committed such violation and the violation facilitated money laundering or the financing of terrorism.''.

SEC. 7208. ADDITIONAL DAMAGES FOR REPEAT BANK SECRECY ACT VIOLATORS.

(a) IN GENERAL.—Section 5321 of title 31, United States Code, as amended by section 7208, is further amended by adding at the end the following:

''(g) ADDITIONAL DAMAGES FOR REPEAT VIOLATORS.—In addition to any other fines permitted by this section and section 5322, with respect to a person who has previously been convicted of a criminal provision of (or rule issued under) the Bank Secrecy Act or who has admitted, as part of a deferred- or non-prosecution agreement, to having previously committed a violation of a criminal provision of (or rule issued under) the Bank Secrecy Act, the Secretary may impose an additional civil penalty against such person for each additional such violation in an amount equal to up three times the profit gained or loss avoided by such person as a result of the violation.''.

(b) PROSPECTIVE APPLICATION OF AMENDMENT.—For purposes of determining whether a person has committed a previous violation under section 5321(g) of title 31, United States Code, such determination shall only include violations occurring after the date of enactment of this Act.

SEC. 7209. JUSTICE ANNUAL REPORT ON DEFERRED AND NON-PROSECUTION AGREEMENTS.

(a) ANNUAL REPORT.—The Attorney General shall issue an annual report, every year for the five years beginning on the date of enactment of this Act, to the Committees on Financial Services and the Judiciary of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and the Judiciary of the Senate containing—

(1) a list of deferred prosecution agreements and non-prosecution agreements that the Attorney General has entered into during the previous year with any person with respect to a violation or suspected violation of the Bank Secrecy Act;

(2) the justification for entering into each such agreement;

(3) the list of factors that were taken into account in determining that the Attorney General should enter into each such agreement; and

(4) the extent of coordination the Attorney General conducted with the Financial Crimes Enforcement Network prior to entering into each such agreement.

(b) CLASSIFIED ANNEX.—Each report under subsection (a) may include a classified annex.

(c) BANK SECRECY ACT DEFINED.—For purposes of this section, the term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

SEC. 7210. RETURN OF PROFITS AND BONUSES.

(a) IN GENERAL.—Section 5322 of title 31, United States Code, is amended by adding at the end the following:

''(e) RETURN OF PROFITS AND BONUSES.—A person convicted of violating a provision of (or rule issued under) the Bank Secrecy Act shall—

''(1) in addition to any other fine under this section, be fined in an amount equal to the profit gained by such person by reason of such violation, as determined by the court; and

''(2) if such person is an individual who was a partner, director, officer, or employee of a financial institution at the time the violation occurred, repay to such financial institution any bonus paid to such individual during the Federal fiscal year in which the violation occurred or the Federal fiscal year after which the violation occurred.''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to prohibit a financial institution from requiring the repayment of a bonus paid to a partner, director, officer, or employee if the financial institution determines that the partner, director, officer, or employee engaged in unethical, but non-criminal, activities.

SEC. 7211. APPLICATION OF BANK SECRECY ACT TO DEALERS IN ANTIQUITIES.

(a) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(1) in subparagraph (Y), by striking ''or'' at the end;

(2) by redesignating subparagraph (Z) as subparagraph (AA); and

(3) by inserting after subsection (Y) the following:

''(Z) a person trading or acting as an intermediary in the trade of antiquities, including an advisor, consultant or any other person who engages as a business in the solicitation of the sale of antiquities; or''.

(b) STUDY ON THE FACILITATION OF MONEY LAUNDERING AND TERROR FINANCE THROUGH THE TRADE OF WORKS OF ART OR ANTIQUITIES.—

(1) STUDY.—The Secretary of the Treasury, in coordination with Federal Bureau of Investigation, the Attorney General, and Homeland Security Investigations, shall perform a study on the facilitation of money laundering and terror finance through the trade of works of art or antiquities, including an analysis of—

(A) the extent to which the facilitation of money laundering and terror finance through the trade of works of art or antiquities may enter or affect the financial system of the United States, including any qualitative data or statistics;

(B) whether thresholds and definitions should apply in determining which entities to regulate;

(C) an evaluation of which markets, by size, entity type, domestic or international geographical locations, or otherwise, should be subject to regulations, but only to the extent such markets are not already required to report on the trade of works of art or antiquities to the Federal Government;

(D) an evaluation of whether certain exemptions should apply; and

(E) any other points of study or analysis the Secretary determines necessary or appropriate.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under paragraph (1).

(c) RULEMAKING.—Not later than the end of the 180-day period beginning on the date the Secretary issues the report required under subsection (b)(2), the Secretary shall issue regulations to carry out the amendments made by subsection (a).

SEC. 7212. GEOGRAPHIC TARGETING ORDER.

The Secretary of the Treasury shall issue a geographic targeting order, similar to the order issued by the Financial Crimes Enforcement Network on November 15, 2018, that—

(1) applies to commercial real estate to the same extent, with the exception of having the same thresholds, as the order issued by FinCEN on November 15, 2018, applies to residential real estate; and

(2) establishes a specific threshold for commercial real estate.

SEC. 7213. STUDY AND REVISIONS TO CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) CURRENCY TRANSACTION REPORTS.—

(1) CTR INDEXED FOR INFLATION.—

(A) IN GENERAL.—Every 5 years after the date of enactment of this Act, the Secretary of the Treasury shall revise regulations issued with respect to section 5313 of title 31, United States Code, to update each $10,000 threshold amount in such regulation to reflect the change in the Consumer Price Index for All Urban Consumers published by the Department of Labor, rounded to the nearest $100. For purposes of calculating the change described in the previous sentence, the Secretary shall use $10,000 as the base amount and the date of enactment of this Act as the base date.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary may make appropriate adjustments to the threshold amounts described under subparagraph (A) in high-risk areas (e.g., High Intensity Financial Crime Areas or HIFCAs), if the Secretary has demonstrable evidence that shows a threshold raise would increase serious crimes, such as trafficking, or endanger national security.

(2) GAO CTR STUDY.—

(A) STUDY.—The Comptroller General of the United States shall carry out a study of currency transaction reports. Such study shall include—

(i) a review (carried out in consultation with the Secretary of the Treasury, the Financial Crimes Enforcement Network, the United States Attorney General, the State Attorneys General, and State, Tribal, and local law enforcement) of the effectiveness of the current currency transaction reporting regime;

(ii) an analysis of the importance of currency transaction reports to law enforcement; and

(iii) an analysis of the effects of raising the currency transaction report threshold.

(B) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Comptroller General shall issue a report to the Secretary of the Treasury and the Congress containing—

(i) all findings and determinations made in carrying out the study required under subparagraph (A); and

(ii) recommendations for improving the current currency transaction reporting regime.

(b) MODIFIED SARS STUDY AND DESIGN.—

(1) STUDY.—The Director of the Financial Crimes Enforcement Network shall carry out a study, in consultation with industry stakeholders (including money services businesses, community banks, and credit unions), the Federal functional regulators, State bank supervisors, and law enforcement, of the design of a modified suspicious activity report form for certain customers and activities. Such study shall include—

(A) an examination of appropriate optimal SARs thresholds to determine the level at which a modified SARs form could be employed;

(B) an evaluation of which customers or transactions would be appropriate for a modified SAR, including—

(i) seasoned business customers;

(ii) financial technology (Fintech) firms;

(iii) structuring transactions; and

(iv) any other customer or transaction that may be appropriate for a modified SAR; and

(C) an analysis of the most effective methods to reduce the regulatory burden imposed on financial institutions in complying with the Bank Secrecy Act, including an analysis of the effect of—

(i) modifying thresholds;

(ii) shortening forms;

(iii) combining Bank Secrecy Act forms;

(iv) filing reports in periodic batches; and

(v) any other method that may reduce the regulatory burden.

(2) STUDY CONSIDERATIONS.—In carrying out the study required under paragraph (1), the Director shall seek to balance law enforcement priorities, regulatory burdens experienced by financial institutions, and the requirement for reports to have a ''high degree of usefulness to law enforcement'' under the Bank Secrecy Act.

(3) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Director shall issue a report to Congress containing—

(A) all findings and determinations made in carrying out the study required under subsection (a); and

(B) sample designs of modified SARs forms based on the study results.

(4) CONTRACTING AUTHORITY.—The Director may contract with a private third-party to carry out the study required under this subsection. The authority of the Director to enter into contracts under this paragraph shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts.

(c) DEFINITIONS.—For purposes of this section:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' has the meaning given that term under section 5312 of title 31, United States Code.

(2) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' has the meaning given that term under section 7103.

(3) REGULATORY BURDEN.—The term ''regulatory burden'' means the man-hours to complete filings, cost of data collection and analysis, and other considerations of chapter 35 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act).

(4) SAR; SUSPICIOUS ACTIVITY REPORT.—The term ''SAR'' and ''suspicious activity report'' mean a report of a suspicious transaction under section 5318(g) of title 31, United States Code.

(5) SEASONED BUSINESS CUSTOMER.—The term ''seasoned business customer'', shall have such meaning as the Secretary of the Treasury shall prescribe, which shall include any person that—

(A) is incorporated or organized under the laws of the United States or any State, or is registered as, licensed by, or otherwise eligible to do business within the United States, a State, or political subdivision of a State;

(B) has maintained an account with a financial institution for a length of time as determined by the Secretary; and

(C) meet such other requirements as the Secretary may determine necessary or appropriate.

(6) STATE BANK SUPERVISOR.—The term ''State bank supervisor'' has the meaning given that term under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

SEC. 7214. STREAMLINING REQUIREMENTS FOR CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) REVIEW.—The Secretary of the Treasury (in consultation with Federal law enforcement agencies, the Director of National Intelligence, the Federal functional regulators, State bank supervisors, and other relevant stakeholders) shall undertake a formal review of the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and propose changes to further reduce regulatory burdens, and ensure that the information provided is of a ''high degree of usefulness'' to law enforcement, as set forth under section 5311 of title 31, United States Code.

(b) CONTENTS.—The review required under subsection (a) shall include a study of—

(1) whether the timeframe for filing a suspicious activity report should be increased from 30 days;

(2) whether or not currency transaction report and suspicious activity report thresholds should be tied to inflation or otherwise periodically be adjusted;

(3) whether the circumstances under which a financial institution determines whether to file a ''continuing suspicious activity report'', or the processes followed by a financial institution in determining whether to file a ''continuing suspicious activity report'' (or both) can be narrowed;

(4) analyzing the fields designated as ''critical'' on the suspicious activity report form and whether the number of fields should be reduced;

(5) the increased use of exemption provisions to reduce currency transaction reports that are of little or no value to law enforcement efforts;

(6) the current financial institution reporting requirements under the Bank Secrecy Act and its implementing regulations and guidance; and

(7) such other items as the Secretary determines appropriate.

(c) REPORT.—Not later than the end of the one year period beginning on the date of the enactment of this Act, the Secretary of the Treasury, in consultation with law enforcement and persons subject to Bank Secrecy Act requirements, shall issue a report to the Congress containing all findings and determinations made in carrying out the review required under subsection (a).

(d) DEFINITIONS.—For purposes of this section:

(1) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' has the meaning given that term under section 7103.

(2) STATE BANK SUPERVISOR.—The term ''State bank supervisor'' has the meaning given that term under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(3) OTHER TERMS.—The terms ''Bank Secrecy Act'' and ''financial institution'' have the meaning given those terms, respectively, under section 5312 of title 31, United States Code.

TITLE III—MODERNIZING THE AML SYSTEM

SEC. 7301. ENCOURAGING INNOVATION IN BSA COMPLIANCE.

Section 5318 of title 31, United States Code, as amended by section 7202, is further amended by adding at the end the following:

''(p) ENCOURAGING INNOVATION IN COMPLIANCE.—

''(1) IN GENERAL.—The Federal functional regulators shall encourage financial institutions to consider, evaluate, and, where appropriate, responsibly implement innovative approaches to meet the requirements of this subchapter, including through the use of innovation pilot programs.

''(2) EXEMPTIVE RELIEF.—The Secretary, pursuant to subsection (a), may provide exemptions from the requirements of this subchapter if the Secretary determines such exemptions are necessary to facilitate the testing and potential use of new technologies and other innovations.

''(3) RULE OF CONSTRUCTION.—This subsection may not be construed to require financial institutions to consider, evaluate, or implement innovative approaches to meet the requirements of the Bank Secrecy Act.

''(4) FEDERAL FUNCTIONAL REGULATOR DEFINED.—In this subsection, the term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.''.

SEC. 7302. INNOVATION LABS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''§ 5333. Innovation Labs

''(a) ESTABLISHMENT.—There is established within the Department of the Treasury and each Federal functional regulator an Innovation Lab.

''(b) DIRECTOR.—The head of each Innovation Lab shall be a Director, to be appointed by the Secretary of the Treasury or the head of the Federal functional regulator, as applicable.

''(c) DUTIES.—The duties of the Innovation Lab shall be—

''(1) to provide outreach to law enforcement agencies, State bank supervisors, financial institutions, and other persons (including vendors and technology companies) with respect to innovation and new technologies that may be used to comply with the requirements of the Bank Secrecy Act;

''(2) to support the implementation of responsible innovation and new technology, in a manner that complies with the requirements of the Bank Secrecy Act;

''(3) to explore opportunities for public-private partnerships; and

''(4) to develop metrics of success.

''(d) FINCEN LAB.—The Innovation Lab established under subsection (a) within the Department of the Treasury shall be a lab within the Financial Crimes Enforcement Network.

''(e) DEFINITIONS.—In this section:

''(1) FEDERAL FUNCTIONAL REGULATOR.—The term 'Federal functional regulator' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

''(2) STATE BANK SUPERVISOR.—The term 'State bank supervisor' has the meaning given that term under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of

title 31, United States Code, is amended by adding at the end the following:

''5333. Innovation Labs.''.

SEC. 7303. INNOVATION COUNCIL.

(a) IN GENERAL.—Subchapter II of chapter 53 of Title 31, United States Code, as amended by section 7302, is further amended by adding at the end the following:

''§ 5334. Innovation Council

''(a) ESTABLISHMENT.—There is established the Innovation Council (hereinafter in this section referred to as the 'Council'), which shall consist of each Director of an Innovation Lab established under section 5334, a representative of State bank supervisors (as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)), and the Director of the Financial Crimes Enforcement Network.

''(b) CHAIR.—The Director of the Innovation Lab of the Department of the Treasury shall serve as the Chair of the Council.

''(c) DUTY.—The members of the Council shall coordinate on activities related to innovation under the Bank Secrecy Act, but may not supplant individual agency determinations on innovation.

''(d) MEETINGS.—The meetings of the Council—

''(1) shall be at the call of the Chair, but in no case may the Council meet less than semi-annually;

''(2) may include open and closed sessions, as determined necessary by the Council; and

''(3) shall include participation by public and private entities and law enforcement agencies.

''(e) REPORT.—The Council shall issue an annual report, for each of the 7 years beginning on the date of enactment of this section, to the Secretary of the Treasury on the activities of the Council during the previous year, including the success of programs as measured by metrics of success developed pursuant to section 5334(c)(4), and any regulatory or legislative recommendations that the Council may have.''.

(b) CLERICAL AMENDMENT.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding the end the following:

''5334. Innovation Council.''.

SEC. 7304. TESTING METHODS RULEMAKING.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, as amended by section 7301, is further amended by adding at the end the following:

''(q) TESTING.—

''(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the head of each agency to which the Secretary has delegated duties or powers under subsection (a), shall issue a rule to specify—

''(A) with respect to technology and related technology-internal processes ('new technology') designed to facilitate compliance with the Bank Secrecy Act requirements, the standards by which financial institutions are to test new technology; and

''(B) in what instances or under what circumstance and criteria a financial institution may replace or terminate legacy technology and processes for any examinable technology or process without the replacement or termination being determined an examination deficiency.

''(2) STANDARDS.—The standards described under paragraph (1) may include—

''(A) an emphasis on using innovative approaches, such as machine learning, rather than rules-based systems;

''(B) risk-based back-testing of the regime to facilitate calibration of relevant systems;

''(C) requirements for appropriate data privacy and security; and

''(D) a requirement that the algorithms used by the regime be disclosed to the Financial Crimes Enforcement Network, upon request.

''(3) CONFIDENTIALITY OF ALGORITHMS.—If a financial institution or any director, officer, employee, or agent of any financial institution, voluntarily or pursuant to this subsection or any other authority, discloses the institution's algorithms to a Government agency, such algorithms and any materials associated with the creation of such algorithms shall be considered confidential and not subject to public disclosure.''.

(b) UPDATE OF MANUAL.—The Financial Institutions Examination Council shall ensure—

(1) that any manual prepared by the Council is updated to reflect the rulemaking required by the amendment made by subsection (a); and

(2) that financial institutions are not penalized for the decisions based on such rulemaking to replace or terminate technology used for compliance with the Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) or other anti-money laundering laws.

SEC. 7305. FINCEN STUDY ON USE OF EMERGING TECHNOLOGIES.

(a) STUDY.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network (''FinCEN'') shall carry out a study on—

(A) the status of implementation and internal use of emerging technologies, including artificial intelligence (''AI''), digital identity technologies, blockchain technologies, and other innovative technologies within FinCEN;

(B) whether AI, digital identity technologies, blockchain technologies, and other innovative technologies can be further leveraged to make FinCEN's data analysis more efficient and effective; and

(C) how FinCEN could better utilize AI, digital identity technologies, blockchain technologies, and other innovative technologies to more actively analyze and disseminate the information it collects and stores to provide investigative leads to Federal, State, Tribal, and local law enforcement, and other Federal agencies (collective, ''Agencies''), and better support its ongoing investigations when referring a case to the Agencies.

(2) INCLUSION OF GTO DATA.—The study required under this subsection shall include data collected through the Geographic Targeting Orders (''GTO'') program.

(3) CONSULTATION.—In conducting the study required under this subsection, FinCEN shall consult with the Directors of the Innovations Labs established in section 302.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Director shall issue a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) with respect to each of subparagraphs (A), (B) and (C) of subsection (a)(1), any best practices or significant concerns identified by the Director, and their applicability to AI, digital identity technologies, blockchain technologies, and other innovative technologies with respect to United States efforts to combat money laundering and other forms of illicit finance; and

(3) any policy recommendations that could facilitate and improve communication and coordination between the private sector, FinCEN, and Agencies through the implementation of innovative approaches, in order to meet their Bank Secrecy Act (as defined under section 5312 of title 31, United States Code) and anti-money laundering compliance obligations.

SEC. 7306. DISCRETIONARY SURPLUS FUNDS.

The dollar amount specified under section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is reduced by $37,000,000.

AMENDMENT NO. 2 OFFERED BY MR. BERGMAN OF MICHIGAN

Page 1115, after line 5, insert the following:

SEC. 17____. FOREIGN STATE COMPUTER INTRUSIONS.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605B the following:

''§ 1605C. Computer intrusions by a foreign state

''A foreign state shall not be immune from the jurisdiction of the courts of the United States or of the States in any case not otherwise covered by this chapter in which money damages are sought against a foreign state by a national of the United States for personal injury, harm to reputation, or damage to or loss of property resulting from any of the following activities, whether occurring in the United States or a foreign state:

''(1) Unauthorized access to or access exceeding authorization to a computer located in the United States.

''(2) Unauthorized access to confidential, electronic stored information located in the United States.

''(3) The transmission of a program, information, code, or command to a computer located in the United States, which, as a result of such conduct, causes damage without authorization.

''(4) The use, dissemination, or disclosure, without consent, of any information obtained by means of any activity described in paragraph (1), (2), or (3).

''(5) The provision of material support or resources for any activity described in paragraph (1), (2), (3), or (4), including by an official, employee, or agent of such foreign state.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605B the following:

''1605C. Computer intrusions by a foreign state.''.

(c) APPLICATION.—This section and the amendments made by this section shall apply to any action pending on or filed on or after the date of the enactment of this Act.

AMENDMENT NO. 10 OFFERED BY MS. PRESSLEY OF MASSACHUSETTS

At the end of subtitle E of title XVII, add the following:

SEC. 17____. ONLINE AND DISTANCE EDUCATION CLASSES AND NONIMMIGRANT VISAS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the period described in subsection (b), a nonimmigrant described in subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) may engage in online or distance education classes or programs that are determined necessary by an institution or program described in such subparagraph for the protection of health and safety, and such classes or programs shall count towards the requirement to pursue a full course of study to maintain nonimmigrant status.

(b) PERIOD DESCRIBED.—The period described in this section—

(1) begins on March 13, 2020; and

(2) ends on the date that is the later of—

(A) June 30, 2021; or

(B) the date that is 90 days after the date on which the public health emergency declared with respect to COVID–19 by the Secretary of Health and Human Services under

section 319 of the Public Health Service Act (42 U.S.C. 247d) is terminated.

AMENDMENT NO. 12 OFFERED BY MR. THOMPSON OF CALIFORNIA

At the end of subtitle E of title XVII, insert the following:

SEC. 17___. TRANSFER OF MARE ISLAND NAVAL CEMETERY TO SECRETARY OF VETERANS AFFAIRS FOR MAINTENANCE BY NATIONAL CEMETERY ADMINISTRATION.

(a) AGREEMENT.—Beginning on the date that is 180 days after the date on which the Secretary submits the report required by subsection (c)(1), the Secretary of Veterans Affairs shall seek to enter into an agreement with the city of Vallejo, California, under which the city of Vallejo shall transfer to the Secretary all right, title, and interest in the Mare Island Naval Cemetery in Vallejo, California, at no cost to the Secretary. The Secretary shall seek to enter into such agreement before the date that is one year after the date on which such report is submitted.

(b) MAINTENANCE BY NATIONAL CEMETERY ADMINISTRATION.—If the Mare Island Naval Cemetery is transferred to the Secretary of Veterans Affairs pursuant to subsection (a), the National Cemetery Administration shall maintain the cemetery as a national shrine.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary 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 feasibility and advisability of exercising the authority granted by subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the feasibility and advisability of exercising the authority granted by subsection (a).

(B) An estimate of the costs, including both direct and indirect costs, that the Department of Veterans Affairs would incur by exercising such authority.

AMENDMENT NO. 14 OFFERED BY MR. WALDEN OF OREGON

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. ROLE OF SECRETARY OF DEFENSE AND SECRETARY OF ENERGY ON NUCLEAR WEAPONS COUNCIL.

(a) MEMBERSHIP.—Subsection (a) of section 179 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (3) through (8), respectively; and

(2) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

''(1) The Secretary of Defense.

''(2) The Secretary of Energy.''.

(b) CHAIRMAN; MEETINGS.—Subsection (b) of section 179 of title 10, United States Code, is amended to read as follows:

''(b) CHAIRMAN; MEETINGS.—(1) The Council shall be co-chaired by the Secretary of Defense and the Secretary of Energy. Any reference in any statute or regulation to the Chairman of the Council shall be deemed to be a reference to the Secretary of Defense and the Secretary of Energy jointly.

''(2) The Council shall meet not less often than once every three months. To the extent possible, not later than seven days before a meeting, the Chairman shall disseminate to each member of the Council the agenda and documents for such meeting.''.

AMENDMENT NO. 15 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

At the end of title XI, add the following:

Subtitle C—Office of the National Cyber Director

SEC. 1131. SHORT TITLE.

This subtitle may be cited as the ''National Cyber Director Act''.

SEC. 1132. NATIONAL CYBER DIRECTOR.

(a) ESTABLISHMENT.—There is established, within the Executive Office of the President, the Office of the National Cyber Director (in this section referred to as the ''Office'').

(b) NATIONAL CYBER DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by the National Cyber Director (in this section referred to as the ''Director'') who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall hold office at the pleasure of the President, and shall be entitled to receive the same pay and allowances as are provided for level I of the Executive Schedule under section 5312 of title 5, United States Code.

(2) DEPUTY DIRECTORS.—There shall be two Deputy National Cyber Directors, to be appointed by the President, who shall hold office at the pleasure of the President, and who shall report to the Director, as follows:

(A) The Deputy National Cyber Director for Strategy, Capabilities, and Budget.

(B) The Deputy National Cyber Director for Plans and Operations.

(c) DUTIES OF THE NATIONAL CYBER DIRECTOR.—

(1) IN GENERAL.—Subject to the authority, direction, and control of the President, the Director shall—

(A) serve as the principal advisor to the President on cybersecurity strategy and policy;

(B) in consultation with appropriate Federal departments and agencies, develop the United States' National Cyber Strategy, which shall include elements related to Federal departments and agencies—

(i) information security; and

(ii) programs and policies intended to improve the United States' cybersecurity posture;

(C) in consultation with appropriate Federal departments and agencies and upon approval of the National Cyber Strategy by the President, supervise implementation of the strategy by—

(i) in consultation with the Director of the Office of Management and Budget, monitoring and assessing the effectiveness, including cost-effectiveness, of Federal departments and agencies' implementation of the strategy;

(ii) making recommendations relevant to changes in the organization, personnel and resource allocation, and policies of Federal departments and agencies to the Director of the Office of Management and Budget and heads of such departments and agencies in order to implement the strategy;

(iii) reviewing the annual budget proposal for each Federal department or agency and certifying to the head of each Federal department or agency and the Director of the Office Management and Budget whether the department or agency proposal is consistent with the strategy;

(iv) continuously assessing and making relevant recommendations to the President on the appropriate level of integration and interoperability across the Federal cybersecurity operations centers;

(v) coordinating with the Federal Chief Information Officer, the Federal Chief Information Security Officer, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of National Institute of Standards and Technology on the development and implementation of policies and guidelines related to issues of Federal department and agency information security; and

(vi) reporting annually to the President and the Congress on the state of the United States' cybersecurity posture, the effectiveness of the strategy, and the status of Federal departments and agencies' implementation of the strategy;

(D) lead joint interagency planning for the Federal Government's integrated response to cyberattacks and cyber campaigns of significant consequence, to include—

(i) coordinating with relevant Federal departments and agencies in the development of, for the approval of the President, joint, integrated operational plans, processes, and playbooks for incident response that feature—

(I) clear lines of authority and lines of effort across the Federal Government;

(II) authorities that have been delegated to an appropriate level to facilitate effective operational responses across the Federal Government; and

(III) support for the integration of defensive cyber plans and capabilities with offensive cyber plans and capabilities in a manner consistent with improving the United States' cybersecurity posture;

(ii) exercising these operational plans, processes, and playbooks;

(iii) updating these operational plans, processes, and playbooks for incident response as needed in coordination with ongoing offensive cyber plans and operations; and

(iv) ensuring these plans, processes, and playbooks are properly coordinated with relevant private sector entities, as appropriate;

(E) direct the Federal Government's response to cyberattacks and cyber campaigns of significant consequence, to include—

(i) developing for the approval of the President, with the heads of relevant Federal departments and agencies independently or through the National Security Council as directed by the President, operational priorities, requirements, and tasks;

(ii) coordinating, deconflicting, and ensuring the execution of operational activities in incident response; and

(iii) coordinating operational activities with relevant private sector entities;

(F) coordinate and consult with private sector leaders on cybersecurity and emerging technology issues with the support of, and in coordination with, the Cybersecurity and Infrastructure Security Agency and other Federal departments and agencies, as appropriate;

(G) annually report to Congress on cybersecurity threats and issues facing the nation, including any new or emerging technologies that may impact national security, economic prosperity, or enforcing the rule of law; and

(H) be responsible for such other functions as the President may direct.

(2) DELEGATION OF AUTHORITY.—The Director may—

(A) serve as the senior representative on any body that the President may establish for the purpose of providing the President advice on cybersecurity;

(B) be empowered to convene National Security Council, National Economic Council and Homeland Security Council meetings, with the concurrence of the National Security Advisor, Homeland Security Advisor, or Director of the National Economic Council, as appropriate;

(C) be included as a participant in preparations for and, if appropriate, execution of cybersecurity summits and other international meetings at which cybersecurity is a major topic;

(D) delegate any of the Director's functions, powers, and duties to such officers and employees of the Office as he may designate; and

(E) authorize such successive re-delegations of such functions, powers, and duties to such officers and employees of the Office as he may deem appropriate.

(d) ATTENDANCE AND PARTICIPATION IN NATIONAL SECURITY COUNCIL MEETINGS.—Section 101(c)(2) of the National Security Act of 1947 (50 U.S.C. 3021(c)(2)) is amended by striking ''and the Chairman of the Joint Chiefs of Staff'' and inserting ''the Chairman of the Joint Chiefs of Staff, and the National Cyber Director''.

(e) POWERS OF THE DIRECTOR.—The Director may, for the purposes of carrying out the Director's functions under this section—

(1) subject to the civil service and classification laws, select, appoint, employ, and fix the compensation of such officers and employees as are necessary and prescribe their authority and duties, except that not more than 75 individuals may be employed without regard to any provision of law regulating the employment or compensation at rates not to exceed the basic rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code;

(2) employ experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate individuals so employed for each day (including travel time) at rates not in excess of the maximum rate of basic pay for grade GS-15 as provided in section 5332 of such title, and while such experts and consultants are so serving away from their homes or regular place of business, to pay such employees travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of such title 5 for persons in Federal Government service employed intermittently;

(3) promulgate such rules and regulations as may be necessary to carry out the functions, powers, and duties vested in the Director;

(4) utilize, with their consent, the services, personnel, and facilities of other Federal agencies;

(5) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of the work of the Office and on such terms as the Director may determine appropriate, with any Federal agency, or with any public or private person or entity;

(6) accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31, United States Code;

(7) adopt an official seal, which shall be judicially noticed; and

(8) provide, where authorized by law, copies of documents to persons at cost, except that any funds so received shall be credited to, and be available for use from, the account from which expenditures relating thereto were made.

(f) DEFINITIONS.—In this section:

(1) CYBERSECURITY POSTURE.—The term ''cybersecurity posture'' means the ability to identify and protect, and detect, respond to and recover from intrusions in, information systems the compromise of which could constitute a cyber attack or cyber campaign of significant consequence.

(2) CYBER ATTACKS AND CYBER CAMPAIGNS OF SIGNIFICANT CONSEQUENCE.—The term ''cyber attacks and cyber campaigns of significant consequence'' means an incident or series of incidents that have the purpose or effect of—

(A) causing a significant disruption to the availability of a Federal information system;

(B) harming, or otherwise significantly compromising the provision of service by, a computer or network of computers that support one or more entities in a critical infrastructure sector;

(C) significantly compromising the provision of services by one or more entities in a critical infrastructure sector;

(D) causing a significant misappropriation of funds or economic resources, trade secrets, personal identifiers, or financial information for commercial or competitive advantage or private financial gain; or

(E) otherwise constituting a significant threat to the national security, foreign policy, or economic health or financial stability of the United States.

(3) INCIDENT.—The term ''incident'' has the meaning given that term in section 3552 of title 44, United States Code.

(4) INFORMATION SECURITY.—The term ''information security'' has the meaning given that term in section 3552 of title 44, United States Code.

AMENDMENT NO. 16 OFFERED BY MS. WEXTON OF VIRGINIA

At the end of subtitle A of title XI, add the following:

SEC. 1111. RESTORATION OF ANNUAL LEAVE DUE TO A PANDEMIC.

(a) IN GENERAL.—Section 6304(d) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(5) For the purposes of this subsection, the service of an employee during a pandemic shall be deemed to be an exigency of the public business, and any leave that, by reason of such service, is lost by the employee by operation of this section (regardless of whether such leave was scheduled) shall be restored to the employee and shall be credited and available in accordance with paragraph (2).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any leave lost on or after the date of enactment of this Act.

AMENDMENT NO. 18 OFFERED BY MR. DEUTCH OF FLORIDA

Add at the end of subtitle G of title XII the following:

SEC. 12___. COUNTERING WHITE IDENTITY TERRORISM GLOBALLY.

(a) STRATEGY AND COORDINATION.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall—

(1) develop and submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a Department of Statewide strategy entitled the ''Department of State Strategy for Countering White Identity Terrorism Globally'' (in this section referred to as the ''strategy''); and

(2) designate the Coordinator for Counterterrorism of the Department to coordinate Department efforts to counter white identity terrorism globally, including with United States diplomatic and consular posts, the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies.

(b) ELEMENTS.—The strategy shall at a minimum contain the following:

(1) An assessment of the global threat from white identity terrorism abroad, including geographic or country prioritization based on the assessed threat to the United States.

(2) A description of the coordination mechanisms between relevant bureaus and offices within the Department of State, as well as with United States diplomatic and consular posts, for developing and implementing efforts to counter white identity terrorism.

(3) A description of how the Department plans to build on any existing strategy developed by the Bureau for Counterterrorism to—

(A) adapt or expand existing Department programs, projects, activities, or policy instruments based on existing authorities for the specific purpose of degrading and delegitimizing the white identity terrorist movement globally; and

(B) identify the need for any new Department programs, projects, activities, or policy instruments for the specific purpose of degrading and delegitimizing the white identity terrorist movement globally, including a description of the steps and resources necessary to establish any such programs, projects, activities, or policy instruments, noting whether such steps would require new authorities.

(4) Detailed plans for using public diplomacy, including the efforts of the Secretary of State and other senior Executive Branch officials, including the President, to degrade and delegitimize white identity terrorist ideologues and ideology globally, including by—

(A) countering white identity terrorist messaging and supporting efforts to redirect potential supporters away from white identity terrorist content online;

(B) exposing foreign government support for white identity terrorist ideologies, objectives, ideologues, networks, organizations, and internet platforms;

(B) engaging with foreign governments and internet service providers and other relevant technology entities, to prevent or limit white identity terrorists from exploiting internet platforms in furtherance of or in preparation for acts of terrorism or other targeted violence, as well as the recruitment, radicalization, and indoctrination of new adherents to white identity terrorism; and

(C) identifying the roles and responsibilities for the Office of the Under Secretary for Public Affairs and Public Diplomacy and the Global Engagement Center in developing and implementing such plans.

(6) An outline of steps the Department is taking or will take in coordination, as appropriate, with the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies to improve information and intelligence sharing with other countries on white identity terrorism based on existing authorities by—

(A) describing plans for adapting or expanding existing mechanisms for sharing information, intelligence, or counterterrorism best practices, including facilitating the sharing of information, intelligence, or counterterrorism best practices gathered by Federal, State, and local law enforcement; and

(B) proposing new mechanisms or forums that might enable expanded sharing of information, intelligence, or counterterrorism best practices.

(7) An outline of how the Department plans to use designation as a Specially Designated Global Terrorist (under Executive Order 13224 (50 U.S.C. 1701 note)) and foreign terrorist organization (pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)) to support the strategy, including—

(A) an assessment and explanation of the utility of applying or not applying such designations when individuals or entities satisfy the criteria for such designations; and

(B) a description of possible remedies if such criteria are insufficient to enable designation of any individuals or entities the Secretary of State considers a potential terrorist threat to the United States.

(8) A description of the Department's plans, in consultation with the Department of the Treasury, to work with foreign governments, financial institutions, and other related entities to counter the financing of white identity terrorists within the parameters of current law, or if no such plans exist, a description of why.

(9) A description of how the Department plans to implement the strategy in conjunction with ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(10) A description of how the Department will integrate into the strategy lessons learned in the ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(11) A identification of any additional resources or staff needed to implement the strategy.

(c) INTERAGENCY COORDINATION.—The Secretary of State shall develop the strategy in coordination with the Director of the National Counterterrorism Center and in consultation with the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies.

(d) STAKEHOLDER INCLUSION.—The strategy shall be developed in consultation with representatives of United States and international civil society and academic entities with experience researching or implementing programs to counter white identity terrorism.

(e) FORM.—The strategy shall be submitted in unclassified form that can be made available to the public, but may include a classified annex if the Secretary of State determines such is appropriate.

(f) IMPLEMENTATION.—Not later than three months after the submission of the strategy, the Secretary of State shall begin implementing the strategy.

(g) CONSULTATION.—Not later than 90 days after the date of the enactment of this Act and not less often than annually thereafter, the Secretary of State shall consult with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the development and implementation of the strategy.

(h) COUNTRY REPORTS ON TERRORISM.—The Secretary of State shall incorporate all credible information about white identity terrorism, including regarding relevant attacks, the identification of perpetrators and victims of such attacks, the size and identification of organizations and networks, and the identification of notable ideologues, in the annual country reports on terrorism submitted pursuant to section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f).

(i) REPORT ON SANCTIONS.—

(1) IN GENERAL.—Not later than 120 days and again 240 days after the submission of each annual country report on terrorism submitted pursuant to section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as modified in accordance with subsection (h), the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that determines whether the foreign persons, organizations, and networks identified in such annual country reports on terrorism as so modified, satisfy the criteria to be designated as—

(A) foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) Specially Designated Global Terrorist under Executive Order 13224 (50 U.S.C. 1701 note).

(2) FORM.—Each determination required under subsection (a) shall be submitted in unclassified form, but may include a classified annex, if appropriate.

(j) REQUIREMENT FOR INDEPENDENT STUDY TO MAP THE GLOBAL WHITE IDENTITY TERRORISM MOVEMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall enter into a contract with a federally funded research and development center with appropriate expertise and analytical capability to carry out the study described in paragraph (2).

(2) STUDY.—The study described in this subsection shall provide for a comprehensive social network analysis of the global white identity terrorism movement to—

(A) identify key actors, organizations, and supporting infrastructure; and

(B) map the relationships and interactions between such actors, organizations, and supporting infrastructure.

(3) REPORT.—

(A) TO THE SECRETARY.—Not later than one year after the date on which the Secretary of State enters into a contract pursuant to subsection (a), the federally funded research and development center referred to in such subsection that has entered into such contract with the Secretary shall submit to the Secretary a report containing the results of the study required under this section.

(B) TO CONGRESS.—Not later than 30 days after receipt of the report under subparagraph (A), the Secretary of State shall submit to the Committee of Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate such report, together with any additional views or recommendations of the Secretary.

AMENDMENT NO. 20 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 1202, line 22, insert after ''Forces'' the following: ''(other than the limited exception described in clause (iv))''.

Page 1203, after line 7, insert the following new clause (and redesignate subsequent clauses accordingly):

(iv) Is a deceased woman who overcame prejudice and adversity to perform distinguished military service on behalf of the United States, including a woman who performed such distinguished military service (whether temporary service, auxiliary service, or other qualifying military service) before 1948 when women were allowed to officially join the Armed Forces.

AMENDMENT NO. 21 OFFERED BY MR. KHANNA OF CALIFORNIA

Page 870, after line 24, add the following:

SEC. 12____. REPORT ON US MILITARY SUPPORT OF THE SAUDI-LED COALITION IN YEMEN.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that includes—

(1) a description of the military support, training, and defense articles provided by the Department of Defense to Saudi Arabia, the Government of the United Arab Emirates, and other countries participating in the Saudi-led coalition since March 2015, including—

(A) an annual description, by fiscal year or calendar year, of all transfers of logistics support, supplies, defense articles, and services under sections 2341 and 2342 of title 10, United States Code, or any other applicable law;

(B) a description of the total financial value of such transfers and which countries bore the cost described in subparagraph (A) of these transfers, including the status of the reimbursement of costs from Saudi Arabia, the Government of the United Arab Emirates and the Saudi-led coalition to the Department of Defense; and

(C) a description of the types of training provided by the Department of Defense, including the authorities under which this training was provided, and whether such training has included tactics for stopping, searching and seizing boats, or other activities that could be used to restrict the importation of commercial and humanitarian shipments into and out of Yemen;

(2) a description and evaluation of processes used by the Department of Defense to determine whether the types of military support described in paragraph (1)(A) have impacted the restriction of the movement of persons into or out of Yemen, the restriction of the importation of commercial and humanitarian shipments into and out of Yemen, or the illicit profit from such importation by any of the warring parties in the conflict in Yemen;

(3) a description and evaluation of processes used by the Department of Defense to determine whether the type of military support described in paragraph (1)(C) has been use by any of the warring parties in the conflict in Yemen to restrict the importation of commercial and humanitarian shipments into and out of Yemen; and

(4) a description and evaluation of processes used by the Department of Defense to determine what steps the Department has taken to reduce restrictions on the movement of persons into or out of Yemen, and restrictions on the importation of commercial and humanitarian shipments into and out of Yemen, or the illicit profit of such importation by any of the warring parties in the conflict in Yemen.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

AMENDMENT NO. 22 OFFERED BY MR. TED LIEU OF CALIFORNIA

Add at the end of subtitle G of title XII the following:

SEC. 12____. YEMEN.

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to protect United States citizens and strategic interests in the Middle East region;

(2) to support United Nations-led efforts to end violence in Yemen and secure a comprehensive political settlement to the conflict in Yemen that results in protection of civilians and civilian infrastructure and alleviates the humanitarian crisis including by facilitating unfettered access for all Yemenis to food, fuel, and medicine;

(3) to encourage all parties to the conflict in Yemen to participate in good faith in the United Nations-led process and to uphold interim agreements as part of that process to

end the conflict, leading to reconstruction in Yemen;

(4) to support United States allies and partners in defending their borders and territories in order to maintain stability and security in the Middle East region and encourage burden sharing among such allies and partners;

(5) to assist United States allies and partners in countering destabilization of the Middle East region;

(6) to oppose Iranian arms transfers in violation of UN Security Council resolutions, including transfers to the Houthis;

(7) to encourage the Government of Saudi Arabia and the Government of the United Arab Emirates to assist significantly in the economic stabilization and eventual reconstruction of Yemen; and

(8) to encourage all parties to the conflict to comply with the law of armed conflict, including to investigate credible allegations of war crimes and provide redress to civilian victims.

(b) REPORT ON CONFLICT IN YEMEN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act , the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on United States policy in Yemen.

(2) MATTERS TO BE INCLUDED.—The report required under subsection (b) shall include the following:

(A) A detailed description of diplomatic actions taken by the United States Government to help ease human suffering in Yemen, including—

(i) United States direct humanitarian assistance and United States donations to multilateral humanitarian assistance efforts, including to address the COVID-19 pandemic;

(ii) efforts to ensure that humanitarian assistance is delivered in line with internationally recognized humanitarian principles, and the results of such efforts;

(iii) efforts to facilitate humanitarian and commercial cargo shipments into Yemen and minimize delays associated with such shipments, including access to ports for humanitarian and commercial cargo, and the results of such efforts;

(iv) efforts to work with parties to the conflict in Yemen to ensure protection of civilians and civilian infrastructure, and the results of such efforts;

(iv) efforts to help the Government of Yemen to create a mechanism to ensure that salaries and pensions are paid to civil servants as appropriate, and the results of such efforts; and

(v) efforts to work with ROYG and countries that are members of the Saudi-led coalition in Yemen to address the currency crisis in Yemen and the solvency of the Central Bank of Yemen, and the results of such efforts.

(B) An assessment of plans, commitments, and pledges for reconstruction of Yemen made by countries that are members of the Saudi-led coalition in Yemen, including an assessment of proposed coordination with the Government of Yemen and international organizations.

(C) A description of civilian harm occurring in the context of the conflict in Yemen since Nov 2017, including—

(i) mass casualty incidents; and

(ii) damage to, and destruction of, civilian infrastructure and services.

(D) An estimated total number of civilian casualties in the context of the conflict in Yemen since September 2014, disaggregated by year.

(E) A detailed description of actions taken by the United States Government to support the efforts of the United Nations Special Envoy for Yemen to reach a lasting political solution in Yemen.

(F) A detailed assessment of whether and to what extent members of the Saudi-led coalition in Yemen have used United States-origin defense articles and defense services in Yemen in contravention of the laws of armed conflict when engaging in any military operations against the Houthis in Yemen.

(G) A description of external and cross border attacks perpetrated by the Houthis.

(H) A detailed assessment of the Government of Yemen's willingness and capacity to effectively—

(i) provide public services to the people of Yemen;

(ii) service the external debts of Yemen; and

(iii) facilitate or ensure access to humanitarian assistance and key commodities in Yemen.

(I) A description of support for the Houthis by Iran and Iran-backed groups, including provision of weapons and training.

(J) A description of recruitment and use of child soldiers by parties to the conflict in Yemen.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form (without the classification ''For Official Use Only'') but may contain a classified annex.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives;

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate;

(C) the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Select Committee on Intelligence of the Senate.

(c) REPORT ON UNITED STATES MILITARY SUPPORT.—

(1) IN GENERAL.—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 appropriate congressional committees a report on United States military support to countries that are members of the Saudi-led coalition in Yemen since March 2015 that evaluates—

(A) the manner and extent to which the United States military has provided and continues to provide support to such countries in Yemen;

(B) the extent to which the Department of Defense has determined that its advice or assistance has—

(i) minimized violations of the laws of armed conflict in Yemen, including any credible allegations of torture, arbitrary detention, and other gross violations of internationally recognized human rights by ROYG and countries that are members of the Saudi-led coalition in Yemen; and

(ii) reduced civilian casualties and damage to civilian infrastructure;

(C) the responsiveness and completeness of any certifications submitted pursuant to section 1290 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2081); and

(D) the responsiveness and completeness of any reports submitted pursuant to section 1274 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2067).

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form (without the classification ''For Official Use Only''), but may contain a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 23 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle D of title V, add the following:

SEC. 539A. TO RESOLVE CONTROVERSIES UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. 3912) is amended by adding at the end the following new subsection:

''(d) WRITTEN CONSENT REQUIRED FOR ARBITRATION.—Notwithstanding any other provision of law, whenever a contract with a servicemember, or a servicemember and the servicemember's spouse jointly, provides for the use of arbitration to resolve a controversy subject to a provision of this Act and arising out of or relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.''.

(b) APPLICABILITY.—Subsection (d) of such section, as added by subsection (a), shall apply with respect to contracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

SEC. 539B. LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3918(a)) is amended—

(1) in the second sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''to which it applies''; and

(2) in the third sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''period of military service''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to waivers made on or after the date of the enactment of this Act.

SEC. 539C. CLARIFICATION OF PRIVATE RIGHT OF ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. 4042(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting '', notwithstanding any previous agreement to the contrary,'' after ''may''; and

(2) in paragraph (3), by striking '', notwithstanding any previous agreement to the contrary''.

AMENDMENT NO. 24 OFFERED BY MS. MATSUI OF CALIFORNIA

Page 163, after line 8, insert the following new subsections:

(d) ADVANCED MANUFACTURING INCENTIVES.—

(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.

Such work may include providing incentives for the creation, expansion, or modernization of one or more commercially competitive and sustainable semiconductors 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 semiconductors 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) demonstrate management processes to identify and mitigate supply chain security risks; and

(C) be able to produce semiconductors 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 semiconductors 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 entities of concern.

(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 semiconductors 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.

(e) REPORT UNDER THE DEFENSE PRODUCTION ACT OF 1950.—

(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 any use of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish or enhance a domestic production capability for microelectronic technologies and related technologies, subject to—

(A) the availability of appropriations for that purpose; and

(B) a determination made under the plan pursuant to such title III that such technologies are essential to the national defense.

(2) CONSULTATION.—The President shall develop the plan required by paragraph (1) in consultation with any relevant head of a Federal agency, any advisory committee established under section 708(a) of the Defense Production Act of 1950 (50 U.S.C. 4558), and appropriate stakeholders in the private sector.

Add at the end of title XVII the following new subtitle:

Subtitle F—Semiconductor Manufacturing Incentives

SEC. 17_. 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'' 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).

(4) the term ''governmental entity'' means a State or local government;

(5) the term ''Secretary'' means the Secretary of Commerce; and

(6) 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 to incentivize investment of semiconductor fabrication facilities, or assembly, testing, advanced packaging, or advanced research and development of semiconductors in the United States.

(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);

(II) determines that the project to which the application relates is in the interest of the United States; and

(III) has notified the appropriate committees of congress 15 days before making any commitment to provide a grant to any covered entity that exceeds $10,000,000; 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.

(III) to the extent practicable, the covered entity is considered a small business concern, as defined under section 3 of the Small Business Act (15 U.S.C. 632), notwithstanding section 121.103 of title 13, Code of Federal Regulations.

(3) AMOUNT.—The Secretary shall not award more than $3,000,000,000 to a covered entity under this subsection.

(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.—

(A) The Secretary shall recover the full amount with interest of a grant provided to a covered entity under this subsection if—

(i) 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

(ii) 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 other foreign entity of concern; and

(II) that relates to a sensitive technology or product, as determined by the Secretary; and

(B) the Secretary shall recover up to the full amount with interest of a grant provided to a covered entity if the Secretary determines that commitments required under paragraph (2) have not been fully implemented, 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.

(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) INSPECTOR GENERAL REVIEWS.—The Inspector General of the Department of Commerce 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. 17__. DEPARTMENT OF COMMERCE STUDY ON STATUS OF SEMICONDUCTORS 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 semiconductors.

(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.

(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 semiconductors by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of semiconductors 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 semiconductors manufactured or designed by such entity, descriptions of the end-uses of such semiconductors, and a description of any technical support provided to end-users of such semiconductors 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 regulatory or other informational requests about the entities' operations, sales, or other proprietary information by the Government of the People's Republic of China, entities under its direction or officials of the CCP, a description of the nature of the 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 semiconductors, 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 semiconductors supply chain and the national industrial supply base.

(2) FORM.—The report required by paragraph (1) may be submitted appropriate committees of Congress in classified form.

SEC. 17__. FUNDING FOR DEVELOPMENT AND ADOPTION OF SECURE SEMICONDUCTOR AND SECURE SEMICONDUCTOR SUPPLY CHAINS.

(a) MULTILATERAL SEMICONDUCTOR 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 Semiconductor Security Fund'' (in this section referred to as the ''Fund''), consisting of any appropriated funds credited to the Fund.

(2) PURPOSE.—The purpose of the Fund shall be to work with and support a variety of stakeholders, including governments, businesses, academia, and civil society, and allies or partner nations who are members of the Fund and are critical to the global semiconductor supply chain in order to build safe and secure semiconductor supply chains outside of and devoid of entities from countries subject to a United States embargo. Considerations for building safe and secure semiconductor supply chains include, but are not limited to—

(A) relevant semiconductor designs;

(B) chemicals and materials relevant to the semiconductor industry;

(C) semiconductor design tools;

(D) semiconductor manufacturing equipment; and

(E) basic and applied semiconductor research capability.

(3) RESTRICTION OF USE OF FUNDS.—

(A) AVAILABILITY CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall be available to the Secretary of State, subject to appropriation, on and after the date on which the Secretary enters into an agreement with at least 5 other governments of countries that are allies or partners of the United States that are critical to the global semiconductor supply chain to participate in the common funding mechanism under subsection (b)(1) and the commitments described in paragraph (2) of that subsection.

(B) LIMITATION.—At no point during fiscal years 2021 through 2030 shall a United States contribution cause the cumulative total of United States contributions to exceed 33 percent of the total contributions to the Fund from all sources.

(C) NOTIFICATION.—The Secretary of State shall notify the appropriate congressional committees not later than 15 days in advance of making a contribution to the Fund, including—

(i) the amount of the proposed contribution;

(ii) the total of funds contributed by other donors; and

(iii) the national interests served by United States participation in the Fund.

(D) WITHHOLDINGS.—

(i) SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—If at any time the Secretary of State determines that the Fund has provided assistance to a country, the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) has repeatedly provided support for acts of international terrorism, the United States shall immediately withhold contributions to the Fund and cease participating in Fund activities.

(ii) SUPPORT FOR EMBARGOED COUNTRIES.—If at any time the Secretary of State determines that the Fund, or any investments made by the fund, has supported the semiconductor supply chain of or an entity with a substantial nexus to the semiconductor supply chain of a country under a United State embargo, the United States shall immediately withhold contributions and no longer make any contributions until it certifies that non-market economies do not stand to benefit from investments made from the Fund.

(iii) EXCESSIVE SALARIES.—If at any time during any of the fiscal years 2021 through 2025, the Secretary of State determines that the salary of any individual employed by the Fund exceeds the salary of the Vice President of the United States for that fiscal year, then the United States should withhold from its contribution for the next fiscal year an amount equal to the aggregate amount by which the salary of each such individual exceeds the salary of the Vice President of the United States.

(4) ENSURING PERMANENT MEMBER STATUS.—If at any time the Secretary of State certifies that the United States does not have a permanent representative to the Board of Trustees as established in paragraph (6), the Secretary shall withhold contributions to the Fund until the Secretary certifies that the United States is given a permanent seat.

(5) COMPOSITION.—

(A) IN GENERAL.—The Fund should be governed by a Board of Trustees, to be composed of representatives of participating allies and partners that are donors or participants in the Fund. The Board of Trustees should include—

(i) 5 permanent member countries, who qualify based upon meeting an established initial contribution threshold, whose contributions should cumulatively be not less than 50 percent of total contributions, and who should hold veto power over programs and projects; and

(ii) 5 term members, as appropriate, who are selected by the permanent members on the basis of their commitment to building a free secure semiconductor supply chain.

(B) QUALIFICATIONS.—Individuals appointed to the Board shall have demonstrated knowledge and experience in the fields of semiconductors, semiconductor manufacturing, and supply chain management.

(C) UNITED STATES REPRESENTATION.—

(i) IN GENERAL.—

(I) FOUNDING PERMANENT MEMBER.—The Secretary of State shall seek to establish the United States as a founding permanent member of the Fund.

(II) COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES TO ADVANCE SEMICONDUCTOR SUPPLY CHAIN SECURITY.—The Secretary of State shall appoint an individual qualified as according to subparagraph (B) of this subsection to represent the United States on the Board of Trustees.

(ii) EFFECTIVE AND TERMINATION DATES.—

(I) EFFECTIVE DATE.—This paragraph shall take effect upon the date the Secretary of State, in coordination with the Secretary of the Treasury, certifies and transmits to Congress an agreement establishing the Fund.

(II) TERMINATION DATE.—The membership established pursuant to clause (i) shall terminate upon the date of termination of the Fund.

(D) REMOVAL PROCEDURES.—The Fund shall establish procedures for the removal of member donors of the Board who do not abide by the Fund's core objectives as defined in paragraph (4) of this section.

(6) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the 10th 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 SECURE SEMICONDUCTOR AND SECURE SEMICONDUCTOR SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, Secretary of Energy, 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 Members of the Fund, that uses amounts from the Fund, and amounts committed by such governments, to support those efforts described in subsection (a).

(2) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative, the Secretary of Treasury, and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are Members of the Fund 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) develop common policies for the protection of basic and applied research in both academic and commercial settings;

(B) develop common reporting requirements for researchers participating in talents programs of countries subject to a United States arms embargo;

(C) establish substantially similar if not identical export controls licensing requirements for all segments of the semiconductor supply chain;

(D) establish substantially similar if not identical policies for inbound investment from entities with a substantial nexus to countries subject to an embargo in all segments of the semiconductor supply chain;

(E) establish harmonized treatment of semiconductors and verification processes for the importation of semiconductors or items incorporating semiconductors from embargoed countries;

(F) establish common policies on protecting knowledge, know-how, and personnel from migrating to embargoed countries or taking employment with entities with a substantial nexus to these countries;

(G) develop common policies, including disclosure requirements and restrictions, on outbound investments, including index funds, into entities that support or contribute to the development of the semiconductor industry in countries subject to an embargo;

(H) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to semiconductor firms located in or outside such countries;

(I) 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 (H);

(J) promote harmonized treatment of semiconductor and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(K) establish a consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to semiconductor; and

(L) align policies on supply chain integrity and semiconductor security.

(3) 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), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(A) 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;

(B) the criteria established for expenditure of funds through the common funding mechanism;

(C) how, and to whom, amounts have been expended from the Fund;

(D) amounts remaining in the Fund;

(E) 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

(F) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

(4) GAO REPORT ON TRUST FUND EFFECTIVENESS.—Not later than 2 years after the date that the Fund is formally established, the Comptroller General of the United States shall submit to the appropriate congressional committees a report evaluating the effectiveness of the Fund, including—

(A) the effectiveness of the programs, projects, and activities supported by the Fund; and

(B) an assessment of the merits of continued United States participation in the Fund.

SEC. 17__. 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, the Committee on Health, Education, Labor, and Pensions 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, the Committee on Education and Labor 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 Secretary of Labor, 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 semiconductors 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 semiconductors 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 semiconductor 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 United States can build and maintain a trusted and predictable talent pipeline.

(f) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out subsection (e), $914,000,000 for fiscal year 2021—

(i) of which, $300,000,000 shall be available to carry out subsection (e)(2)(A);

(ii) of which, $500,000,000 shall be available to carry out subsection (e)(2)(B);

(iii) of which, $50,000,000 shall be available to carry out subsection (e)(2)(C);

(iv) of which, $50,000,000 shall be available to carry out subsection (e)(2)(D)—

(I) of which, $2,000,000 shall be available for each of fiscal year 2021 to carry out subsection (e)(3)(A);

(II) of which, $2,000,000 shall be available for fiscal years 2021 o carry out subsection (e)(3)(B); and

(III) of which, $5,000,000 shall be available for fiscal year 2021 to carry out subsection (e)(4); and

(v) of which, $14,000,000 shall be available to carry out subsection (e)(2)(E).

(3) 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, $300,000,000 for fiscal year 2021.

(5) SEMICONDUCTORS RESEARCH AT THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There is authorized to be appropriated to carry out semiconductors research at the National Institute of Standards and Technology $50,000,000 for fiscal year 2021.

(g) SUPPLEMENT, NOT SUPPLANT.—The amounts authorized to be appropriated under paragraphs (1) through (4) of subsection (f) shall supplement and not supplant amounts already appropriated to carry out the purposes described in such paragraphs.

(h) 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 semiconductors research and development conducted as a result of these funds and domestic control requirements to protect any such intellectual property from foreign adversaries.

SEC. 17__. PROHIBITION RELATING TO FOREIGN ENTITIES OF CONCERN.

(a) DEFINITION.—

(1) In this subtitle, the term ''foreign entity'' means—

(A) any person—

(i) controlled by, or is subject to the jurisdiction or direction of a foreign government;

(ii) who acts as an agent, representative, is an employee of, or acts in any other capacity at the order, request, or under the direction or control, of a foreign government;

(iii) whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in majority part by an interest as described in subparagraph (B) of this subsection;

(iv) who directly or indirectly through any contract, arrangement, understanding, relationship, or otherwise, owns 25 percent or more of the equity interests of an interest as described in subparagraph (B) of this subsection, or has significant responsibility to control, manage, or such an interest;

(v) who is a citizen or resident, wherever located, of a nation-state controlled by a foreign government; or

(B) Any organization, corporation, partnership or association—

(i) organized under the laws of a nation-state controlled by a foreign government; or

(ii) wherever organized or doing business, that is owned or controlled by a foreign government.

(2) In this subtitle, the term ''foreign entity of concern'' means any foreign entity (as defined by paragraph (1) of this section)—

(A) designated as a foreign terrorist organization by the Secretary of State under section 1189 of title 8;

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; or

(C) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under any of the following statutes:

(i) Espionage Act (18 U.S.C. 792 et seq.).

(ii) Section 951 or 1030 of title 18.

(iii) Economic Espionage Act (18 U.S.C. 1831 et seq.).

(iv) Arms Export Control Act (22 U.S.C. 2778).

(v) Section 2274, 2275, 2276, 2277, 2278, or 2284 of title 42.

(vi) Export Control Reform Act (50 U.S.C. 4801 et seq.); or

(vii) International Economic Emergency Powers Act (50 U.S.C. 1701 et seq.).

(b) LIMITATION.—None of the funds appropriated pursuant to an authorization in this subtitle may be provided to a grantee that is

determined to be a foreign entity of concern (as defined by this subtitle).

AMENDMENT NO. 25 OFFERED BY MR. TED LIEU OF CALIFORNIA

Add at the end of subtitle G of title XII the following:

SEC. 12___. ESTABLISHMENT OF THE OFFICE OF SUBNATIONAL DIPLOMACY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(h) OFFICE OF SUBNATIONAL DIPLOMACY.—

''(1) IN GENERAL.—There shall be established within the Department of State an Office of Subnational Diplomacy (in this subsection referred to as the 'Office').

''(2) HEAD OF OFFICE.—The head of the Office shall be a full-time position filled by a senior Department official. The head of the Office shall report directly to the Under Secretary for Political Affairs.

''(3) DUTIES.—

''(A) PRINCIPAL DUTY.—The principal duty of the head of the Office shall be the overall supervision (including policy oversight of resources) of Federal support for subnational engagements by State and municipal governments with foreign governments. The head of the Office shall be the principal adviser to the Secretary of State on subnational engagements and the principal official on such matters within the senior management of the Department of State.

''(B) ADDITIONAL DUTIES.—The additional duties of the head of the Office shall include the following:

''(i) Coordinating overall United States policy and programs in support of subnational engagements by State and municipal governments with foreign governments, including with respect to the following:

''(I) Coordinating resources across the Department of State and throughout the Federal Government in support of such engagements.

''(II) Identifying policy, program, and funding disputes among relevant Federal agencies regarding such coordination.

''(III) Identifying gaps in Federal support for such engagements and developing corresponding policy or programmatic changes to address such gaps.

''(ii) Promoting United States foreign policy goals through support for subnational engagements and aligning subnational priorities with national foreign policy goals, as appropriate.

''(iii) Maintaining a public database of subnational engagements.

''(iv) Providing advisory support to subnational engagements, including by assisting State and municipal governments to—

''(I) develop, implement, and, as necessary, adjust global engagement and public diplomacy strategies; and

''(II) implement programs to cooperate with foreign governments on policy priorities or managing shared resources.

''(v) Facilitating linkages and networks between State and municipal governments and their foreign counterparts.

''(vi) Overseeing the work of Department of State detailees assigned to State and municipal governments pursuant to this subsection.

''(vii) Negotiating agreements and memoranda of understanding with foreign governments to support subnational engagements and priorities.

''(viii) Promoting United States trade and foreign exports on behalf of United States businesses through exchanges between the United States and foreign state, municipal, and provincial governments, and by establishing a more enduring relationship overall between subnational governments.

''(ix) Coordinating subnational engagements with the associations of subnational elected leaders, including the U.S. Conference of Mayors, National Governors Association, National League of Cities, National Association of Counties, Council of State Governments, National Conference of State Legislators, and State International Development Offices.

''(4) DETAILEES.—

''(A) IN GENERAL.—The Secretary of State, acting through the head of the Office, is authorized to detail a member of the civil service or Foreign Service to State and municipal governments on a reimbursable or nonreimbursable basis. Such details shall be for a period not to exceed two years, and shall be without interruption or loss of Foreign Service status or privilege.

''(B) RESPONSIBILITIES.—Detailees under subparagraph (A) shall carry out the following:

''(i) Supporting the mission and objectives of the Office.

''(ii) Coordinating activities relating to State and municipal government subnational engagements with the Department of State, including the Office, Department leadership, and regional and functional bureaus of the Department, as appropriate.

''(iii) Engaging the Department of State and other Federal agencies regarding security, public health, trade promotion, and other programs executed at the State or municipal government level.

''(iv) Advising State and municipal government officials regarding questions of global affairs, foreign policy, cooperative agreements, and public diplomacy.

''(v) Any other duties requested by State and municipal governments and approved by the Office.

''(5) REPORT AND BRIEFING.—

''(A) REPORT.—Not later than one year after the date of the enactment of this subsection, the head of the Office shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that includes information relating to the following:

''(i) The staffing plan (including permanent and temporary staff) for the Office.

''(ii) The funding level provided to the Office for the Office, together with a justification relating to such level.

''(iii) The status of filling the position of head of the Office.

''(iv) The rank and title granted to the head of the Office, together with a justification relating to such decision and an analysis of whether the rank and title of Ambassador-at-Large is required to fulfill the duties of the Office.

''(v) A strategic plan for the Office.

''(vi) Any other matters as determined relevant by the head of the Office.

''(B) BRIEFINGS.—Not later than 30 days after the submission of the report required under subparagraph (A) and annually thereafter, the head of the Office shall brief the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the work of the Office and any changes made to the organizational structure or funding of the Office.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as precluding—

''(A) the Office from being elevated to a bureau within the Department of State; or

''(B) the head of the Office from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).

''(7) DEFINITIONS.—In this subsection:

''(A) MUNICIPAL.—The term 'municipal' means, with respect to the government of a municipality in the United States, a municipality with a population of not fewer than 100,000 people.

''(B) STATE.—The term 'State' means the 50 States, the District of Columbia, and any territory or possession of the United States.

''(C) SUBNATIONAL ENGAGEMENT.—The term 'subnational engagement' means formal meetings or events between elected officials of State or municipal governments and their foreign counterparts.''.

AMENDMENT NO. 26 OFFERED BY MR. YOUNG OF ALASKA

At the end of subtitle D of title V, insert the following:

SEC. 5___. REQUIREMENT OF CERTAIN CERTIFICATION BEFORE DEPORTATION OF A SPOUSE OF A MEMBER OF THE ARMED FORCES.

(a) IN GENERAL.—A spouse of a member of the Armed Forces may not be removed from the United States until the Secretary concerned certifies to the congressional defense committees that—

(1) the Secretary concerned has determined that such removal shall not negatively affect the morale, welfare, or well-being of that member;

(2) the Secretary concerned has reviewed all information, including extenuating circumstances, relating to such removal; and

(3) the Secretary concerned has assisted the member and spouse to the greatest extent practicable.

(b) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 10, United States Code.

AMENDMENT NO. 27 OFFERED BY MR. RICHMOND OF LOUISIANA

Add at the end of subtitle C of title XVI the following:

SEC. 16___. CRITICAL INFRASTRUCTURE CYBER INCIDENT REPORTING PROCEDURES.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Director, and in consultation with Sector Risk Management Agencies and other appropriate Federal departments, shall, after notice and an opportunity for comment, establish requirements and a process for covered critical infrastructure entities to report a covered cybersecurity incident to the national cybersecurity and communications integration center of the Department of Homeland Security, in furtherance of its mission with respect to cybersecurity risks as set forth in section 2209.

(b) PROCEDURES.—The cybersecurity incident reporting requirements and process described in subsection (a) shall, at a minimum, include—

(1) a definition of covered critical infrastructure entities that are required to comply with the reporting requirements of this section, based on threshold criteria related to—

(A) the likelihood that such entity may be targeted by a malicious cyber actor, including a foreign country;

(B) consequences that disruption to or compromise of such entity could cause to national security, economic security, or public health and safety; and

(C) maturity of security operations in detecting, investigating, and mitigating a cybersecurity incident;

(2) criteria for the types and thresholds for a covered cybersecurity incident to be reported under this section, including the sophistication or novelty of the cyber attack, the type, volume, and sensitivity of the data

at issue, and the number of individuals affected or potentially affected by a cybersecurity incident, subject to the limitations described in subsection (c); and

(3) procedures to comply with reporting requirements pursuant to subsection (c).

(c) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS FOR COVERED CRITICAL INFRASTRUCTURE ENTITIES.—

(1) IN GENERAL.—A covered critical infrastructure entity, as defined by the Director pursuant to subsection (b),meets the requirements of this paragraph if, upon becoming aware that a covered cybersecurity incident, including an incident involving ransomware, social engineering, malware, or unauthorized access, has occurred involving any critical infrastructure system or subsystem of the critical infrastructure, the entity—

(A) promptly reports such incident to the national cybersecurity and communications integration center, consistent with such requirements and process, as soon as practicable (but in no case later than 72 hours after the entity first becomes aware that the incident occurred); and

(B) provides all appropriate updates to any report submitted under subparagraph (A).

(2) CONTENTS OF REPORT.—Each report submitted under subparagraph (A) of paragraph (1) shall contain such information as the Director prescribes in the reporting procedures issued under subsection (a), including the following information with respect to any cybersecurity incident covered by the report:

(A) The date, time, and time zone when the cybersecurity incident began, if known.

(B) The date, time, and time zone when the cybersecurity incident was detected.

(C) The date, time, and duration of the cybersecurity incident.

(D) The circumstances of the cybersecurity incident, including the specific critical infrastructure systems or subsystems believed to have been accessed and information acquired, if any, as well as any interdependent systems that suffered damage, disruption, or were otherwise impacted by the incident.

(E) Any planned and implemented technical measures to respond to and recover from the incident.

(F) In the case of any report which is an update to a prior report, any additional material information relating to the incident, including technical data, as it becomes available.

(d) EFFECT OF OTHER REPORTING.—A covered critical infrastructure entity shall not be considered to have satisfied the reporting requirements set forth in subsection (c)(1) by reporting information required pursuant to subsection (c)(2) related to a covered cybersecurity incident to any person, agency or organization, including a law enforcement agency, other than to the Director using the incident reporting procedures establish by the national cybersecurity and communications integration center using the incident reporting procedures established by the Director pursuant to subsection (a). (e) DISCLOSURE, RETENTION, AND USE.—

(1) AUTHORIZED ACTIVITIES.—Covered cybersecurity incidents and related reporting information provided to the Director pursuant to this section may not be disclosed to, retained by, or? used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, or any component, officer, employee, or agent of the Federal Government, except if the Director determines such disclosure, retention, or use is necessary for—

(A) the purpose of identifying—

(i) a cybersecurity threat as such term is defined insection 102(5) of the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501)), including the source of such cybersecurity threat; or

(ii) a security vulnerability;

(B) the purpose of responding to, or otherwise preventing or mitigating, a specific threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(C) the purpose of responding to, investigating, prosecuting, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(D) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in subparagraphs (B)-(C) (3) or any of the offenses listed in—

(i) sections 1028 through 1030 of title 18, United States Code (relating to fraud and identity theft);

(ii) chapter 37 of such title (relating to espionage and censorship); and

(iii) chapter 90 of such title (relating to protection of trade secrets).

(2) EXCEPTION.—The Director may enter into an agreement with a federally funded research and development center or other research institution to provide information in an anonymized manner for the purpose of aggregating and analyzing cybersecurity incident data and other reported information for the limited purpose of better understanding the cyber threat landscape, subject to appropriate protections for information and removal of any unnecessary personal or identifying information.

(3) PRIVACY AND CIVIL LIBERTIES.—Covered cybersecurity incidents and related reporting information provided to the Director pursuant to this section shall be retained, used, and disseminated, where permissible and appropriate, by the Federal Government—

(A) in a manner that protects from unauthorized use or disclosure any information reported under this section that may contain—

(i) personal information of a specific individual; or

(ii) information that identifies a specific individual; and

(B) in a manner that protects the confidentiality of information reported under this section containing—

(i) personal information of a specific individual; or

(ii) information that identifies a specific individual.

(4) FEDERAL REGULATORY AUTHORITY.—Information regarding a covered cybersecurity incident and related reporting information provided to the Director pursuant to this section may not be used by any Federal, State, Tribal, or local government to regulate, including through an enforcement action, the lawful activities of any non-Federal entity.

(f) LIMITATION.—The Director may not set criteria or develop procedures pursuant to this Act that require a covered critical infrastructure entity, identified pursuant to subsection (b)(1), to report on any cybersecurity incident unless such incident—

(1) causes a loss in the confidentiality, integrity, or availability of proprietary, sensitive, or personal information;

(2) results in a disruption or otherwise inhibits the ability of an entity to deliver services or conduct its primary business activity; or

(3) was carried out by a foreign country, or where there is reason to believe a foreign country was involved in such incident.

(g) DEFINITIONS.—In this section:

(1) COVERED CRITICAL INFRASTRUCTURE ENTITY.—The term ''covered critical infrastructure entity'' is an entity thatowns, operates, supports, or maintains critical infrastructure which meets the definition set forth by the Director pursuant to subsection (b)(1).

(2) COVERED CYBERSECURITY INCIDENT.—The term ''covered cybersecurity incident'' means a cybersecurity incident experienced by a covered critical infrastructure entity that meets the definition and criteria set forth by the Director in the procedures prescribed pursuant to subsection (b)(2), subject to the limitations in subsection (f).) that involve, at a minimum, an incident that—

(3) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given that term in section 2(4) of the Homeland Security Act of 2002 (Public Law 107–196; 6 U.S.C. 101(4)).

(4) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given that term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(5) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(6) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency of the Department.

(7) NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.—The term ''national cybersecurity and communications integration center'' or ''Center'' means the national cybersecurity and communications integration center described in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(9) SECTOR SPECIFIC AGENCY.—The term ''Sector Specific Agency'' has the meaning given that term in section 2201(5) of the Homeland Security Act of 2002 (6 U.S.C. 651(5)).

AMENDMENT NO. 28 OFFERED BY MR. KEATING OF MASSACHUSETTS

At the end of subtitle B of title XII, add the following:

SEC. 12___. MODIFICATIONS TO IMMUNITY FROM SEIZURE UNDER JUDICIAL PROCESS OF CULTURAL OBJECTS.

(a) IN GENERAL.—The Act of October 19, 1965, entitled ''An Act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes'' (79 Stat. 985, 22 U.S.C. 2459) is amended—

(1) in the heading, by striking ''temporary exhibition or display'' and inserting ''temporary storage, conservation, scientific research, exhibition, or display'';

(2) in subsection (a)—

(A) by striking ''the temporary exhibition or display thereof'' each place it appears and inserting ''temporary storage, conservation, scientific research, exhibition, or display''; and

(B) by striking ''cultural or educational'' each place it appears and inserting ''cultural, educational, or religious''; and

(3) by adding at the end the following:

''(d) For purposes of this section, the terms 'imported' and 'importation' include a transfer from a mission of a foreign country located within the United States to a cultural, educational, or religious institution located within the United States.''.

(b) AFGHANISTAN.—

(1) IN GENERAL.—A work of art or other object of cultural significance that is imported into the United States for temporary storage, conservation, scientific research, exhibition, or display shall be deemed to be immune from seizure under such Act of October 19, 1965 (22 U.S.C. 2459) (as amended by subsection (a)), and the provisions of such Act shall apply in the same manner and to the same extent to such work or object, if—

(A) the work or object is exported from Afghanistan with an export permit or license duly issued by the Government of Afghanistan; and

(B)(i) an agreement is entered into between the Government of Afghanistan and the cultural, educational, or religious institution within the United States that specifies the conditions for such material to be returned to Afghanistan; or

(ii) the work or object is transferred to a cultural, educational, or religious institution in the United States in accordance with an agreement described in clause (i) that also includes an authorization to transfer such work or object to such an institution.

AMENDMENT NO. 30 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 648, after line 11, insert the following new paragraph:

(7) shall establish and maintain a strategic plan for diverse participation by institutions of higher education (including historically black colleges and universities and minority-serving institutions), federally funded research and development centers, and individuals in defense-related research, development, testing, and evaluation activities;

Page 648, line 12, strike ''(7)'' and insert ''(8)''.

Page 648, line 15, strike ''(8)'' and insert ''(9)''.

Page 648, line 18, strike ''(9)'' and insert ''(10)''.

AMENDMENT NO. 31 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle A of title V, insert the following new sections:

SEC. 5___. 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. 5___. PERMANENT PROGRAMS ON DIRECT COMMISSIONS TO CYBER POSITIONS.

Section 509 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 503 note) is amended—

(1) by striking ''pilot'' each place it appears; and

(2) by striking subsections (d) and (e).

AMENDMENT NO. 32 OFFERED BY MR. AGUILAR OF CALIFORNIA

Page 440, line 4, insert ''Each such report shall include an accounting and detailing of every incident of white supremacist activity documented in the Department of Defense.'' after the period.

AMENDMENT NO. 33 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle F of title XVI, add the following new section:

SEC. 16___. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO REPORTS ON MISSILE SYSTEMS AND ARMS CONTROL TREATIES.

(a) LIMITATION.—

(1) IN GENERAL.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the covered reports, not more than 25 percent of the funds specified in paragraph (2) may be obligated or expended until the date on which the covered reports have been submitted.

(2) FUNDS SPECIFIED.—The funds specified in this paragraph are the funds authorized to be appropriated by the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 or otherwise made available for fiscal year 2021 for the immediate office of the Secretary of Defense.

(b) COVERED REPORTS DEFINED.—In this section, the term ''covered reports'' means—

(1) the report under section 1698(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1792); and

(2) the assessment under section 1236(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1650).

AMENDMENT NO. 34 OFFERED BY MR. ALLRED OF TEXAS

At the end of subtitle G of title XII, add the following:

SEC. __. REPORT AND STRATEGY TO ADDRESS GROSS VIOLATIONS OF HUMAN RIGHTS AND CIVILIAN HARM IN BURKINA FASO, MALI, AND NIGER.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on gross violations of human rights and civilian harm in Burkina Faso, Mali, and Niger, as well as civilian harm that may occur during United States-supported advise, assist, and accompany operations in the Sahel region.

(2) MATTERS TO BE INCLUDED.—The report required by this subsection shall include the following:

(A) An identification of all state security force units of Burkina Faso, Mali, and Niger that participated in United States security cooperation programs or benefitted from security assistance since fiscal year 2017, whether any of these units were subsequently credibly implicated in gross violations of human rights, including extrajudicial killings and torture, and the approximate locations, to the extent possible, of where such violations have taken place.

(B) A description of gross violations of human rights and civilian harm committed by violent extremist organizations and other armed groups operating in Burkina Faso, Mali, and Niger, including deaths of state security forces and destruction of civilian infrastructure, including schools, medical facilities, and churches.

(C) An assessment of the relationship between state security forces and any non-state armed groups active in Burkina Faso, Mali, and Niger, including an analysis of the extent to which any armed group that has been credibly implicated in gross violations of human rights or civilian casualties received material support from the governments or militaries of such countries.

(D) An assessment of efforts by the Governments of Burkina Faso, Mali, and Niger to prevent and decrease instances of gross violations of human rights or civilian casualties by state security forces during counterterrorism operations and ensure accountability for violations that have occurred since fiscal year 2017 through appropriate justice systems, including efforts to investigate, prosecute, and sentence such violations.

(E) An assessment of the impact that any gross violations of human rights and other civilian casualties perpetrated by state security forces and non-state armed groups in Burkina Faso, Mali, and Niger have had on the effectiveness of regional and international counterterrorism operations.

(F) An assessment of the effectiveness of any United States human rights training provided to the security forces of Burkina Faso, Mali, and Niger to date.

(G) A description of any confirmed incidents or reports of civilian harm that may have occurred during United States military advise, assist, or accompany operations.

(H) Any other matters that the Secretary of Defense and the Secretary of State consider to be relevant.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a United States strategy to prevent civilian harm and address gross violations of human rights by state security forces of Burkina Faso, Mali, and Niger, and ensure accountability for such violations.

(2) MATTERS TO BE INCLUDED.—The strategy required by this subsection shall include the following:

(A) A description of planned public and private diplomatic engagement to support efforts by the Governments of Burkina Faso, Mali, and Niger to investigate and prosecute any credible allegations of gross violations

of human rights by state security forces and non-state armed groups.

(B) An identification of United States foreign assistance and security cooperation funds and other available United States policy tools to support programs aimed at addressing gross violations of human rights and civilian harm, and an assessment of how they can be strengthened to greater effect.

(C) An identification of United States foreign assistance and security cooperation funds available to support the state security forces of Burkina Faso, Mali, and Niger to combat violent extremist organizations, improve civil-military relations, and strengthen accountability through their military justice systems, including support for building the capacity of provost marshals.

(D) An identification of state security forces of Burkina Faso, Mali, and Niger that would most benefit from United States foreign assistance and security cooperation funds identified in subparagraph (C) and that are eligible to receive such funds.

(E) A description of plans to coordinate United States efforts with France, the European Union, the United Nations Stabilization Mission in Mali (MINUSMA), the African Union, and the G5 Sahel Joint Force to decrease gross violations of human rights and minimize civilian harm during all counterterrorism operations in the Sahel.

(F) Any other matters that the Secretary of Defense and the Secretary of State consider to be relevant.

(c) FORM.—The report required by subsection (a) and the strategy required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) CIVILIAN HARM.—In this section, the term ''civilian harm'' means conflict-related death, physical injury, loss of property or livelihood, or interruption of access to essential services.

AMENDMENT NO. 35 OFFERED BY MRS. AXNE OF IOWA

At the end of subtitle F of title V, insert the following:

SEC. 5___. PARTICIPATION OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES IN THE SKILLBRIDGE PROGRAM.

Section 1143(e)(2) of title 10, United States Code, is amended to read as follows:

''(2) A member of the armed forces is eligible for a program under this subsection if—

''(A) the member—

''(i) has completed at least 180 days on active duty in the armed forces; and

''(ii) is expected to be discharged or released from active duty in the armed forces within 180 days of the date of commencement of participation in such a program; or

''(B) the member is a member of a reserve component.''.

AMENDMENT NO. 36 OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle G of title XII, add the following:

SEC. __ ASSESSMENT OF EFFECTIVENESS OF UNITED STATES POLICIES RELATING TO EXPORTS OF UNITED STATES-ORIGIN UNMANNED AERIAL SYSTEMS THAT ARE ASSESSED TO BE ''CATEGORY I'' ITEMS UNDER THE MISSILE TECHNOLOGY CONTROL REGIME.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through December 31, 2025, the Secretary of State, in consultation with the Secretary of Defense, shall conduct and submit to the appropriate congressional committees an assessment of the effectiveness of United States policies to—

(1) export United States-origin Unmanned Aerial Systems (UAS) that are assessed to be ''Category I'' items under the Missile Technology Control Regime (MTCR) (in this section referred to as ''covered items''); and

(2) support United States allies and partners' security, counter-terrorism capabilities, persistent intelligence, surveillance, and reconnaissance (ISR) capabilities, and persistent maritime domain awareness and strengthen bilateral relationships through exports of covered items.

(b) MATTERS TO BE INCLUDED.—The assessment required by subsection (a) shall include the following:

(1) A description of steps taken to enhance United States competitiveness in the global UAS market, including markets in which covered items have been exported to foreign countries that previously received UAS that are assessed to be ''Category I'' items under the MTCR from third countries.

(2) A description of how the Department of State and other relevant Federal agencies evaluate United States allies and partners' access to covered items.

(3) A description of progress to prevent state and non-state actors from gaining covered items' capabilities that would undermine the safety and security of United States allies and partners.

(4) An identification of the total number of licenses requested, approved, returned without action, or denied for the export of covered items and the typical amount of time needed to process such requests beginning on the date on which the license was received by the Department of State.

[(5) A summary of results of end use checks conducted during the assessment period by the Department of State and the Department of Defense with respect to covered items transferred under the Arms Export Control Act (22 U.S.C. 2751 et. seq.) and any pending or concluded investigations into end-use violations of covered items pursuant to section 3 of the Arms Export Control Act (22 U.S.C. 2753).]

(c) PERIODS COVERED BY ASSESSMENTS.—The first assessment required by subsection (a) shall cover the 3-year period ending on the date of the enactment of this Act. Each subsequent assessment required by subsection (a) shall cover the one-year period beginning on the day after the end of the period covered in the preceding assessment.

(d) FORM.—The assessment required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 37 OFFERED BY MR. BARR OF KENTUCKY

At the end of title VII, add the following new section:

SEC. 7___. PILOT PROGRAM ON SLEEP APNEA AMONG NEW RECRUITS.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Defense Health Agency, shall carry out a pilot program to determine the prevalence of sleep apnea among members of the Armed Forces assigned to initial training.

(b) PARTICIPATION.—

(1) MEMBERS.—The Secretary shall ensure that the number of members who participate in the pilot program under subsection (a) is sufficient to collect statistically significant data for each military department.

(2) SPECIAL RULE.—The Secretary may not disqualify a member from service in the Armed Forces by reason of the member being diagnosed with sleep apnea pursuant to the pilot program under subsection (a).

(c) PROCESS.—The Secretary shall carry out the pilot program by testing members for sleep apnea using non-invasive methods over the course of two consecutive nights that allow for six to eight hours of sleep.

AMENDMENT NO. 38 OFFERED BY MR. BERA OF CALIFORNIA

At the end of title XIII, add the following new section:

SEC. 13___. SENSE OF CONGRESS REGARDING BIOLOGICAL THREAT REDUCTION AND COOPERATIVE BIOLOGICAL ENGAGEMENT OF THE COOPERATIVE THREAT REDUCTION PROGRAM.

It is the sense of Congress that—

(1) keeping Americans safe means ensuring that global health security is prioritized as a national security issue;

(2) as highlighted by the 2017 National Security Strategy of the United States, biological threats, whether ''deliberate attack, accident, or a natural outbreak'', are growing threats and ''require actions to address them at their source'' through programs carried out by cooperative engagement, such as working ''with partners to ensure that laboratories that handle dangerous pathogens have in place safety and security measures'';

(3) the 2017 National Security Strategy of the United States appropriately affirms the importance of supporting advancements in biomedical innovation while mitigating harm caused by advanced bioweapons and capabilities;

(4) the intrinsically linked nature of biological threats, whether naturally occurring, accidental, or deliberate, underscores the relationship between the Global Health Security Strategy of the United States and the National Biodefense Strategy, and the national security tools used to prevent and mitigate these threats must be similarly connected;

(5) biological threats are a critical emerging threat against the United States and addressing these threats through cooperative programs is an opportunity to achieve longstanding nonproliferation goals;

(6) cooperative programs to address biological threats through improved global capacity in the areas of biosafety, biosecurity, bio-surveillance, research oversight, and related legislative and regulatory frameworks have become even more important as the world faces increasing availability of and advancements in biotechnology, which has broad dual-use and proliferation implications;

(7) under the Cooperative Threat Reduction Program of the Department of Defense established under the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.), Congress authorized the Secretary of Defense to address such threats through activities to prevent, detect, and report on highly pathogenic diseases or other diseases, ''regardless of whether such diseases are caused by biological weapons'';

(8) in 2014, President Obama declared the Ebola virus disease epidemic a national security priority and exercised the authority under such Program to build capacity that mitigated the imminent threat posed by the Ebola virus disease and established capabilities required to prevent future outbreaks;

(9) many of the prevention, detection, and response capacities built in response to the

Ebola virus disease epidemic are also those used to prevent, detect, and respond to the use of biological weapons abroad;

(10) continuing to use cooperative engagement programs is in the national security interests of the United States because of the important relationships established between the United States and partner countries, which are based on ideals such as transparency, information sharing, and a shared responsibility in advancing global security;

(11) the recent coronavirus disease 2019 (COVID–19) global pandemic has illustrated the dire consequences resulting from a single disease that knows no boundaries, impacting the United States economy and the health of United States citizens and members of the Armed Forces, both domestically and abroad;

(12) in light of the impacts caused by COVID–19, and following two congressionally mandated reports that call for better implementation of the biological cooperative engagement programs of the United States and the National Biodefense Strategy (the report published by the Government Accountability Office on March 11, 2020, titled ''National Biodefense Strategy: Opportunities and Challenges with Early Implementation'' and the report published by the National Academies of Sciences, Engineering, and Medicine on April 14, 2020, titled ''A Strategic Vision for Biological Threat Reduction: The U.S. Department of Defense and Beyond''), it is of utmost importance that such programs are given due and increased prioritization for national security purposes; and

(13) the Secretary of Defense and the Secretary of State should make every effort to prioritize and advance the determination, concurrence, and notification processes under the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) to provide for necessary new country determinations in a timely manner and be responsive to emerging biological threats.

AMENDMENT NO. 39 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle J of title V add the following:

SEC. ____. STUDY ON FINANCIAL IMPACTS OF COVID-19 ON MEMBERS OF THE ARMED FORCES AND BEST PRACTICES TO PREVENT FUTURE FINANCIAL HARDSHIPS.

(a) STUDY.—The Secretary of Defense shall conduct a study on the financial hardships experienced by members of the Armed Forces (including the reserve components) as a result of the COVID-19 pandemic.

(b) ELEMENTS.—The study shall—

(1) examine the financial hardships members of the Armed Forces experience as a result of the COVID-19 pandemic, including the effects of stop movement orders, loss of spousal income, loss of hazardous duty incentive pay, school closures, loss of childcare, loss of educational benefits, loss of drill and exercise pay, cancelled deployments, and any additional financial stressors identified by the Secretary;

(2) recommend best practices to provide assistance for members of the Armed Forces experiencing the financial hardships listed in paragraph (1); and

(3) identify actions that can be taken by the Secretary to prevent financial hardships listed in paragraph (1) from occurring in the future.

(c) CONSULTATION AND COORDINATION.—For the purposes of the study, the Secretary shall—

(1) consult with the Director of the Consumer Financial Protection Bureau; and

(2) with respect to members of the Coast Guard, coordinate with the Secretary of Homeland Security.

(d) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the study under subsection (a).

(e) DEFINITIONS.—In this section—

(1) the term ''financial hardship'' means a loss of income or an unforeseen expense as a result of closures and changes in operations in response to the COVID-19 pandemic; and

(2) the term ''appropriate congressional committees'' means the Committees on Armed Services of the Senate and House of Representatives.

AMENDMENT NO. 40 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle D of title VII, add the following new section:

SEC. _____. ANTIMICROBIAL STEWARDSHIP STAFFING AT MEDICAL TREATMENT FACILITIES OF THE DEPARTMENT OF DEFENSE.

(a) DEVELOPMENT OF RECOMMENDATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Centers for Disease Control and Prevention and relevant medical societies, shall develop for its military medical treatment facilities—

(1) stewardship staffing recommendations, based upon facility size and patient populations; and

(2) diagnostics stewardship recommendations to improve antimicrobial stewardship programs.

(b) 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 House of Representatives and the Senate a plan for carrying out the recommendations developed under subsection (a) and identify barriers to implementing such recommendations.

AMENDMENT NO. 41 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle B of title III add the following:

SEC. ____. BIOLOGICAL THREATS REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on efforts to prevent, detect, and respond to biological threats, including through cooperation with bilateral and multilateral partners.

(b) ELEMENTS.—The report shall include the following:

(1) A description of actions taken by the Department of Defense to improve proliferation prevention regarding, detection of, and response to biological threats of natural, accidental, or deliberate origin, including the following:

(A) Department of Defense policy guidance to address the threat of naturally and accidentally occurring diseases in addition to potential deliberate biological events.

(B) Organizational chart describing those responsible in each Department for coordinating these activities, in accordance with the report required by section 745 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(C) A description of efforts to integrate Department of Defense infectious disease research, cooperative threat reduction programs, and other activities designed to protect Department of Defense personnel against infectious disease threats.

(2) Programs and policies to address the threat of accidental or deliberate misuse of emerging biological technologies, including synthetic biology, including Cooperative Threat Reduction, efforts to cooperate with other partners to establish international norms and standards, consideration of new technologies in the Biological Threat Reduction Program, and efforts to develop countermeasures.

AMENDMENT NO. 42 OFFERED BY MR. BEYER OF VIRGINIA

At the end of subtitle E of title XVII, add the following:

SEC. ____. MITIGATION OF HELICOPTER NOISE.

(a) IN GENERAL.—The Secretary of Defense shall take the following actions to mitigate helicopter noise and to receive, track, and analyze complaints on an ongoing basis from individuals in the National Capital Region:

(1) Develop a noise inquiry website, to assist in directing mitigation efforts toward concentrated areas of inquiry, that is based off of the websites of the Ronald Reagan Washington National Airport and the Dulles International Airport. Such website shall—

(A) provide a form to collect inquiry information;

(B) geo-tag the location of the inquiry to an exportable map;

(C) export information to an Excel spreadsheet; and

(D) send an email response to the individual making the inquiry.

(2) Establish a helicopter noise abatement working group led by the Department of Defense to collect, correlate, and identify trends associated with helicopter noise within the National Capital Region, with officials of the Department of Defense and the Federal Aviation Administration in attendance. The working group shall recommend procedural changes to mitigate the impact of helicopter noise on the community only to the extent consistent with aviation safety and airspace efficiency and while sustaining aircrew readiness, training, and mission support.

(b) DEFINITION OF NATIONAL CAPITAL REGION.—In this section, the term ''National Capital Region'' has the meaning given the term in section 2574 of title 10, United States Code.

AMENDMENT NO. 43 OFFERED BY MR. BEYER OF VIRGINIA

At the end of subtitle E of title II, add the following new section:

SEC. 2____. FUNDING FOR FORCE PROTECTION APPLIED RESEARCH.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, Navy, applied research, force protection applied research, line 005 (PE 0602123N) is hereby increased by $9,000,000 (to be used in support of the Direct Air Capture and Blue Carbon Removal Technology Program authorized under section 223 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2358 note)).

(b) OFFSETS.—

(1) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for operation and maintenance, Air Force, admin & servicewide activities, servicewide communications, line 410 is hereby reduced by $4,000,000.

(2) Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for operation and maintenance, Army, admin & servicewide activities, servicewide communications, line 440 is hereby reduced by $5,000,000.

AMENDMENT NO. 44 OFFERED BY MR. BIGGS OF ARIZONA

At the end of subtitle G of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON THE UNITED STATES ISRAEL RELATIONSHIP.

It is the sense of Congress that—

(1) since 1948, Israel has been one of the strongest friends and allies of the United States;

(2) Israel is a stable, democratic country in a region often marred by turmoil;

(3) it is essential to the strategic interest of the United States to continue to offer full security assistance and related support to Israel; and

(4) such assistance and support is especially vital as Israel confronts a number of potential challenges at the present time, including continuing threats from Iran.

AMENDMENT NO. 45 OFFERED BY MR. BILIRAKIS OF FLORIDA

At the end of subtitle D of title VII, add the following new section:

SEC. 7___. REPORT ON CHIROPRACTIC CARE FOR DEPENDENTS AND RETIREES UNDER THE TRICARE PROGRAM.

Not later than one year after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the congressional defense committees a report on the feasibility, efficacy, and cost of expanding coverage for chiropractic care to covered beneficiaries under the TRICARE program (as those terms are defined in section 1072 of title 10, United States Code).

AMENDMENT NO. 46 OFFERED BY MR. BILIRAKIS OF FLORIDA

At the end of subtitle G of title XII, add the following new section:

SEC. 12___. FEASIBILITY STUDY ON INCREASED ROTATIONAL DEPLOYMENTS TO GREECE AND ENHANCEMENT OF UNITED STATES-GREECE DIPLOMATIC ENGAGEMENT.

(a) FEASIBILITY STUDY.—

(1) 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.

(2) ELEMENT.—The study required by paragraph (1) shall include an evaluation of any infrastructure investment necessary to support such increased rotational deployments.

(3) REPORT TO CONGRESS.—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 results of the study required by paragraph (1).

(b) DIPLOMATIC ENGAGEMENT.—The Secretary of State is encouraged to pursue persistent United States diplomatic engagement with respect to the Greece-Cyprus-Israel and Greece-Cyprus-Egypt trilateral agreements beyond the occasional participation of United States diplomats in the regular summits of the countries party to such agreements.

AMENDMENT NO. 47 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle J of title V, add the following:

SEC. ___. SENSE OF CONGRESS HONORING THE DOVER AIR FORCE BASE, DELAWARE, HOME TO THE 436TH AIRLIFT WING, THE 512TH AIRLIFT WING, AND THE CHARLES C. CARSON CENTER FOR MORTUARY AFFAIRS.

(a) FINDINGS.—Congress find the following:

(1) The Dover Air Force Base is home more than 4,000 active-duty military and civilian employees tasked with defending the United States of America.

(2) The Dover Air Force Base supports the mission of the th Airlift Wing, known as ''Eagle Wing'' and the 512th Airlift Wing, known as Liberty Wing.

(3) The ''Eagle Wing'' serves as a unit of the Eighteenth Air Force headquartered with the Air Mobility Command at Scott Air Force Base in Illinois.

(4) The ''Eagle Wing'' flies hundreds of missions throughout the world and provides a quarter of the United States' strategic airlift capability and boasts a global reach to over 100 countries around the world.

(5) The Dover Air Force Base houses incredible aircrafts utilized by the United States Air Force, including the C-5M Super Galaxy and C-17A Globemaster III aircraft.

(6) The Dover Air Force Base operates the largest and busiest air freight terminal in the Department of Defense, fulfilling an important role in our Nation's military.

(7) The Air Mobility Command Museum is located on the Dover Air Force base and welcomes thousands of visitors each year to learn more about the United States Air Force.

(8) The Charles C. Carson Center for Mortuary Affairs fulfills our Nation's sacred commitment of ensuring dignity, honor and respect to the fallen and care service and support to their families.

(9) The mortuary mission at Dover Air Force Base dates back to 1955 and is the only Department of Defense mortuary in the continental United States.

(10) Service members who serve at the Center for Mortuary Affairs are often so moved by their work that they voluntarily elect to serve multiple tours because they feel called to serve our fallen heroes.

(b) SENSE OF CONGRESS.—Congress—

(1) honors and expresses sincerest gratitude to the women and men of the Dover Air Force Base for their distinguished service;

(2) acknowledges the incredible sacrifice and service of the families of active duty members of the United States military;

(3) encourages the people of the United States to keep in their thoughts and their prayers the women and men of the United States Armed Forces; and

(4) recognizes the incredibly unique and important work of the Air Force Mortuary Affairs Operations and the role they play in honoring our fallen heroes.

AMENDMENT NO. 48 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle E of title II, add the following new section:

SEC. 2___. FUNDING FOR HYPERSONICS PROTOTYPING.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, Air Force, advanced component development & prototypes, line 048, hypersonics prototyping (PE 0604033F) is hereby increased by $5,000,000 (to be used in support of the Air-launched Rapid Response Weapon Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for operation and maintenance, Space Force, operating forces, contractor logistics & system support, line 080 is hereby reduced by $5,000,000.

AMENDMENT NO. 49 OFFERED BY MS. BLUNT ROCHESTER OF DELAWARE

At the end of subtitle E of title II, add the following new section:

SEC. 2___. FUNDING FOR UNIDIRECTIONAL BODY ARMOR.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, Army, advanced component development & prototypes, line 093, soldier systems—advanced development (PE 0603827A) is hereby increased by $7,000,000 (to be used for the development of lightweight body armor fabrics).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, Army, advanced component development & prototypes, line 102, technology maturation initiatives (PE 0604115A) is hereby reduced by $7,000,000.

AMENDMENT NO. 50 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

At the end of subtitle D of title XII, add the following:

SEC. __. SENSE OF CONGRESS ON SUPPORT FOR UKRAINE.

It is the sense of Congress that the United States should—

(1) reaffirm support for an enduring strategic partnership between the United States and Ukraine;

(2) support Ukraine's sovereignty and territorial integrity within its internationally-recognized borders and make clear it does not recognize the independence of Crimea or Eastern Ukraine currently occupied by Russia;

(3) continue support for multi-domain security assistance for Ukraine in the form of lethal and non-lethal measures to build resiliency, bolster deterrence against Russia, and promote stability in the region by—

(A) strengthening defensive capabilities and promoting readiness; and

(B) improving interoperability with NATO forces; and

(4) further enhance security cooperation and engagement with Ukraine and other Black Sea regional partners.

AMENDMENT NO. 51 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

Page 803, after line 15, insert the following:

SEC. 12___. SENSE OF CONGRESS REAFFIRMING THE COMMITMENT OF THE UNITED STATES TO NATO.

(a) FINDINGS.—Congress finds the following:

(1) On April 4, 1949, the North Atlantic Treaty Organization (NATO) was founded on the principles of democracy, individual liberty, and the rule of law with the aim of promoting collective security through collective defense.

(2) NATO has been the most successful military alliance in history and, for over seven decades, an example of successful political cooperation.

(3) NATO's commitment to collective defense is essential to deter security threat against its members.

(4) NATO strengthens the security of the United States by enabling United States forces to work by, with, and through a network of committed, interoperable allies.

(5) NATO solidarity sends a clear collective message to Russia that members of the alliance will not tolerate aggressive acts that threaten their security and sovereignty.

(6) In response to changing national security threats, NATO continues to adapt to

take on new dynamics such as terrorism, hybrid warfare, the spread of weapons of mass destruction, and cyber attacks.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States reaffirms its commitment to the North Atlantic Treaty Organization as the foundation of transatlantic security and defense , including Article V of the North Atlantic Treaty; and

(2) NATO plays a critical role in preserving peace and stability in the transatlantic region.

AMENDMENT NO. 52 OFFERED BY MR. BRINDISI OF NEW YORK

Add at the end of division C the following:

TITLE XXXVI—FARM AND RANCH MENTAL HEALTH

SEC. 3601. PUBLIC SERVICE ANNOUNCEMENT CAMPAIGN TO ADDRESS FARM AND RANCH MENTAL HEALTH.

(a) IN GENERAL.—The Secretary of Agriculture, in consultation with the Secretary of Health and Human Services, shall carry out a public service announcement campaign to address the mental health of farmers and ranchers.

(b) REQUIREMENTS.—The public service announcement campaign under subsection (a) shall include television, radio, print, outdoor, and digital public service announcements.

(c) CONTRACTOR.—

(1) IN GENERAL.—The Secretary of Agriculture may enter into a contract or other agreement with a third party to carry out the public service announcement campaign under subsection (a).

(2) REQUIREMENT.—In awarding a contract under paragraph (1), the Secretary shall use a competitive bidding process.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $3,000,000, to remain available until expended.

SEC. 3602. EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary of Agriculture shall expand the pilot program carried out by the Secretary in fiscal year 2019 that trained employees of the Farm Service Agency in the management of stress experienced by farmers and ranchers, to train employees of the Farm Service Agency, the Risk Management Agency, and the Natural Resources Conservation Service in the management of stress experienced by farmers and ranchers, including the detection of stress and suicide prevention.

(b) REPORT.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the implementation of this section.

SEC. 3603. TASK FORCE FOR ASSESSMENT OF CAUSES OF MENTAL STRESS AND BEST PRACTICES FOR RESPONSE.

(a) IN GENERAL.—The Secretary of Agriculture shall convene a task force of agricultural and rural stakeholders at the national, State, and local levels—

(1) to assess the causes of mental stress in farmers and ranchers; and

(2) to identify best practices for responding to that mental stress.

(b) SUBMISSION OF REPORT.—Not later than 1 year after the date of enactment of this Act, the task force convened under subsection (a) shall submit to the Secretary of Agriculture a report containing the assessment and best practices under paragraphs (1) and (2), respectively, of subsection (a).

(c) COLLABORATION.—In carrying out this section, the task force convened under subsection (a) shall collaborate with nongovernmental organizations and State and local agencies.

AMENDMENT NO. 53 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle E of title XVII, insert the following:

SEC. 17___. DEPARTMENT OF DEFENSE SUPPORT FOR CERTAIN SPORTING EVENTS.

Section 2564 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''the Paralympics,'' after ''the Olympics,''; and

(2) in subsection (c)—

(A) in the subsection heading, by striking ''INAPPLICABILITY TO'' and inserting ''SUPPORT OF'';

(B) by striking ''Subsections (a) and (b) do not apply to'' and inserting ''The Secretary of Defense may authorize technical, contracting, and specialized equipment support to'';

(C) in paragraph (4), by inserting ''and Paralympic'' after ''Olympic''; and

(D) in paragraph (5)(A)(iii), by inserting ''and Paralympic'' after ''Olympic''.

AMENDMENT NO. 54 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle J of title V, add the following:

SEC. 5___. GAO STUDY OF WOMEN INVOLUNTARILY SEPARATED OR DISCHARGED DUE TO PREGNANCY OR PARENTHOOD.

(a) STUDY REQUIRED.—Not later than September 30, 2021, the Comptroller General of the United States shall conduct a study regarding women involuntarily separated or discharged from the Armed Forces due to pregnancy or parenthood during the period of 1951 through 1976. The study shall identify—

(1) the number of such women, disaggregated by—

(A) Armed Force;

(B) grade;

(C) race; and

(D) ethnicity;

(2) the characters of such discharges or separations;

(3) discrepancies in uniformity of such discharges or separations;

(4) how such discharges or separations affected access of such women to health care and benefits through the Department of Veterans Affairs; and

(5) recommendations for improving access of such women to resources through the Department of Veterans Affairs.

(b) REPORT.—Not later than 30 days after completing the study under subsection (a), the Comptroller General shall submit to Congress a report containing the results of that study.

AMENDMENT NO. 55 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of title XVII, insert the following new subtitle:

Subtitle F—Biliteracy Education Seal and Teaching Act

SEC. 1771. SHORT TITLE.

This subtitle may be cited as the ''Biliteracy Education Seal and Teaching Act'' or the ''BEST Act''.

SEC. 1772. FINDINGS.

Congress finds the following:

(1) The people of the United States celebrate cultural and linguistic diversity and seek to prepare students with skills to succeed in the 21st century.

(2) It is fitting to commend the dedication of students who have achieved proficiency in multiple languages and to encourage their peers to follow in their footsteps.

(3) The congressionally requested Commission on Language Learning, in its 2017 report ''America's Languages: Investing in Language Education for the 21st Century'', notes the pressing national need for more people of the United States who are proficient in two or more languages for national security, economic growth, and the fulfillment of the potential of all people of the United States.

(4) The Commission on Language Learning also notes the extensive cognitive, educational, and employment benefits deriving from biliteracy.

(5) Biliteracy in general correlates with higher graduation rates, higher grade point averages, higher rates of matriculation into higher education, and higher earnings for all students, regardless of background.

(6) The study of America's languages in elementary and secondary schools should be encouraged because it contributes to a student's cognitive development and to the national economy and security.

(7) Recognition of student achievement in language proficiency will enable institutions of higher education and employers to readily recognize and acknowledge the valuable expertise of bilingual students in academia and the workplace.

(8) States such as Utah, Arizona, Washington, and New Mexico have developed innovative testing methods for languages, including Native American languages, where no formal proficiency test currently exists.

(9) The use of proficiency in a government-recognized official Native American language as the base language for a Seal of Biliteracy, with proficiency in any additional partner language demonstrated through tested proficiency, has been successfully demonstrated in Hawaii.

(10) Students in every State and every school should be able to benefit from a Seal of Biliteracy program.

SEC. 1773. DEFINITIONS.

In this subtitle:

(1) ESEA DEFINITIONS.—The terms ''English learner'', ''secondary school'', and ''State'' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) NATIVE AMERICAN LANGUAGES.—The term ''Native American languages'' has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(3) SEAL OF BILITERACY PROGRAM.—The term ''Seal of Biliteracy program'' means any program described in section 1774(a) that is established or improved, and carried out, with funds received under this subtitle.

(4) SECOND LANGUAGE.—The term ''second language'' means any language other than English (or a Native American language, pursuant to section 1774(a)(2)), including Braille, American Sign Language, or a Classical language.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 1774. GRANTS FOR STATE SEAL OF BILITERACY PROGRAMS.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—From amounts made available under subsection (f), the Secretary shall award grants, on a competitive basis, to States to enable the States to establish or improve, and carry out, Seal of Biliteracy programs to recognize student proficiency in speaking, reading, and writing in both English and a second language.

(2) INCLUSION OF NATIVE AMERICAN LANGUAGES.—Notwithstanding paragraph (1), each Seal of Biliteracy program shall contain provisions allowing the use of Native American languages, including allowing speakers of any Native American language recognized as official by any American government, including any Tribal government,

to use equivalent proficiency in speaking, reading, and writing in the Native American language in lieu of proficiency in speaking, reading, and writing in English.

(3) DURATION.—A grant awarded under this section shall be for a period of 2 years, and may be renewed at the discretion of the Secretary.

(4) RENEWAL.—At the end of a grant term, a State that receives a grant under this section may reapply for a grant under this section.

(5) LIMITATIONS.—A State shall not receive more than 1 grant under this section at any time.

(6) RETURN OF UNSPENT GRANT FUNDS.—Each State that receives a grant under this section shall return any unspent grant funds not later than 6 months after the date on which the term for the grant ends.

(b) GRANT APPLICATION.—A State that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(1) a description of the criteria a student must meet to demonstrate the proficiency in speaking, reading, and writing in both languages necessary for the State Seal of Biliteracy program;

(2) a detailed description of the State's plan—

(A) to ensure that English learners and former English learners are included in the State Seal of Biliteracy program;

(B) to ensure that—

(i) all languages, including Native American languages, can be tested for the State Seal of Biliteracy program; and

(ii) Native American language speakers and learners are included in the State Seal of Biliteracy program, including students at tribally controlled schools and at schools funded by the Bureau of Indian Education; and

(C) to reach students, including eligible students described in subsection (c)(2) and English learners, their parents, and schools with information regarding the State Seal of Biliteracy program;

(3) an assurance that a student who meets the requirements under paragraph (1) and subsection (c) receives—

(A) a permanent seal or other marker on the student's secondary school diploma or its equivalent; and

(B) documentation of proficiency on the student's official academic transcript; and

(4) an assurance that a student is not charged a fee for providing information under subsection (c)(1).

(c) STUDENT PARTICIPATION IN A SEAL OF BILITERACY PROGRAM.—

(1) IN GENERAL.—To participate in a Seal of Biliteracy program, a student shall provide information to the State that serves the student at such time, in such manner, and including such information and assurances as the State may require, including an assurance that the student has met the criteria established by the State under subsection (b)(1).

(2) STUDENT ELIGIBILITY FOR PARTICIPATION.—A student who gained proficiency in a second language outside of school may apply under paragraph (1) to participate in a Seal of Biliteracy program.

(d) USE OF FUNDS.—Grant funds made available under this section shall be used for—

(1) the administrative costs of establishing or improving, and carrying out, a Seal of Biliteracy program that meets the requirements of subsection (b); and

(2) public outreach and education about the Seal of Biliteracy program.

(e) REPORT.—Not later than 18 months after receiving a grant under this section, a State shall issue a report to the Secretary describing the implementation of the Seal of Biliteracy program for which the State received the grant.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2025.

AMENDMENT NO. 56 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle C of title V, add the following:

SEC. 5___. REPORT REGARDING REVIEWS OF DISCHARGES AND DISMISSALS BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY.

(a) REPORT REQUIRED.—Not later than September 30, 2021, the Secretaries of Defense and Veterans Affairs shall jointly submit to Congress a report regarding former members of the Armed Forces who—

(1) were discharged or dismissed from the Armed Forces;

(2) have applied to either Secretary for an upgrade in the characterization of discharge or dismissal; and

(3) allege in such applications that such discharges or dismissals arose from a policy of the Department of Defense regarding the sexual orientation or gender identity of a member.

(b) ELEMENTS.—The report under this section shall include the number of applications described in subsection (a) and the percentages of such applications granted and denied, disaggregated by—

(1) Armed Force;

(2) grade;

(3) race;

(4) ethnicity;

(5) gender;

(6) characterization of discharge or dismissal; and

(7) upgraded characterization of discharge or dismissal, if applicable.

(c) PUBLICATION.—The Secretaries each shall publish the report under this section on a publicly accessible website of the respective department.

AMENDMENT NO. 57 OFFERED BY MR. BUCHANAN OF FLORIDA

At the end of subtitle D of title VII, add the following new section:

SEC. 7___. STUDY ON MEDEVAC HELICOPTERS AND AMBULANCES AT MILITARY INSTALLATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a study on the potential benefits and feasibility of requiring that—

(1) each enduring military installation located outside the United States has at least one properly functioning medical evacuation helicopter and at least one properly functioning ambulance; and

(2) each such helicopter and ambulance is stocked with appropriate emergency medical supplies.

AMENDMENT NO. 58 OFFERED BY MR. BUCK OF COLORADO

At the end of subtitle A of title XI, insert the following new section:

SEC. 11___. PROHIBITION ON DOWNLOADING OR USING TIKTOK BY FEDERAL EMPLOYEES.

(a) IN GENERAL.—Except as provided in subsection (b), no employee of the United States, officer of the United States, Member of Congress, congressional employee, or officer or employee of a government corporation may download or use TikTok or any successor application developed by ByteDance or any entity owned by ByteDance on any device issued by the United States or a government corporation.

(b) EXCEPTION.—Subsection (a) shall not apply to any investigation, cybersecurity research activity, enforcement action, disciplinary action, or intelligence activity.

AMENDMENT NO. 59 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle B of title III, insert the following:

SEC. 3___. REPORT ON ENERGY SAVINGS PERFORMANCE CONTRACTS.

(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 appropriate congressional committees a report on the use of energy savings performance contracts (in this section referred to as ''ESPCs'') by the Department of Defense. Such report shall include—

(1) the total investment value of the total number of ESPCs per service for fiscal years 2016 through 2020;

(2) the location of facilities with ESPCs for fiscal years 2016 through 2020;

(3) any limitations on expanding ESPCs throughout the Department of Defense;

(4) the effect ESPCs have on military readiness; and

(5) any additional information the Secretary determines relevant.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the appropriate congressional committees are—

(1) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Environment and Public Works of the Senate.

AMENDMENT NO. 60 OFFERED BY MRS. BUSTOS OF ILLINOIS

At the end of subtitle B of title V, insert the following:

SEC. 5___. REPORT REGARDING FULL-TIME NATIONAL GUARD DUTY IN RESPONSE TO THE COVID-19 PANDEMIC.

(a) REPORT REQUIRED.—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 regarding how the Secretary determined whether to authorize full-time National Guard duty in response to the covered national emergency.

(b) ELEMENTS.—The report under this section shall include the following:

(1) The number of requests described in subsection (a).

(2) The number of such requests approved and the number of requests denied.

(3) For each such request—

(A) the time elapsed from receipt of request to disposition of request; and

(B) whether costs (including pay and benefits for members of the National Guard) were a factor in determining whether to grant or deny the request.

(4) For each such request approved, the time elapsed from approval to when the first such member of the National Guard was placed on full-time National Guard duty in response to such request.

(5) For each such request denied, the reason for denial and how such denial was explained to the requestor.

(6) A description of how the process of review for such requests differed from previous requests for full-time National Guard duty under section 502(f) of title 32, United States Code.

(7) Recommendations of the Secretary to improve the review of such requests in order to better respond to such requests.

(c) DEFINITIONS.—In this section:

(1) The term ''covered national emergency'' means the national emergency declared on March 13, 2020, by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19.

(2) The term ''full-time National Guard duty'' has the meaning given that term in section 101 of title 10, United States Code.

AMENDMENT NO. 61 OFFERED BY MRS. BUSTOS OF ILLINOIS

Page 342, after line 3, add the following new section (and amend the table of contents accordingly):

SEC. 539A. CLARIFICATION OF TERMINATION OF LEASES OF PREMISES AND MOTOR VEHICLES OF SERVICEMEMBERS WHO INCUR CATASTROPHIC INJURY OR ILLNESS OR DIE WHILE IN MILITARY SERVICE.

(a) CATASTROPHIC INJURIES AND ILLNESSES.—Paragraph (4) of section 305(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3955(a)), as added by section 545 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended to read as follows:

''(4) CATASTROPHIC INJURY OR ILLNESS OF LESSEE.—

''(A) TERMINATION.—If the lessee on a lease described in subsection (b) incurs a catastrophic injury or illness during a period of military service or while performing covered service, during the one-year period beginning on the date on which the lessee incurs such injury or illness—

''(i) the lessee may terminate the lease; or

''(ii) in the case of a lessee who lacks the mental capacity to contract or to manage his or her own affairs (including disbursement of funds without limitation) due to such injury or illness, the spouse or dependent of the lessee may terminate the lease.

''(B) DEFINITIONS.—In this paragraph:

''(i) The term 'catastrophic injury or illness' has the meaning given that term in section 439(g) of title 37, United States Code.

''(ii) The term 'covered service' means full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training (as such terms are defined in section 101(d) of title 10, United States Code).''.

(b) DEATHS.—Paragraph (3) of such section is amended by striking ''The spouse of the lessee'' and inserting ''The spouse or dependent of the lessee''.

AMENDMENT NO. 62 OFFERED BY MRS. BUSTOS OF ILLINOIS

At the end of subtitle E of title XVII, add the following:

SEC. 1762. PILOT PROGRAM FOR ONLINE REAL ESTATE INVENTORY TOOL.

(a) IN GENERAL.—The Secretary of the Army in consultation with Administrator of the General Services Administration and Assistant Secretary of Defense for Sustainment shall establish a pilot program for developing an online real estate tool of existing inventory of space available at Army installations.

(b) PURPOSE.—The purpose of the online inventory tool is to—

(1) achieve efficiencies in real estate property management consistent with the National Defense Strategy goal of finding greater efficiencies within the Department of Defense operations;

(2) provide a public tool to better market space available at Army installations for better utilization of existing space; and

(3) provide a tool to better quantify existing space and how it is utilize for current missions and requirements.

(c) CONSIDERATIONS.—The Secretary of the Army shall consider—

(1) innovative approaches to establishing this pilot program including use of other transaction authorities consistent with section 2371 of title 10, United States Code, as well as use of commercial off-the-shelf technologies;

(2) developing appropriate protections of sensitive or classified information from being included with the online inventory tool; and

(3) developing appropriate levels of access for private sector users of the system.

(d) ESTABLISHMENT OF POLICY.—After the pilot program has been established and locations identified, the Secretary of the Army shall develop policy requiring the use of the system described in subsection (a) to query for existing inventory before any military construction or off-post leases are agreed to. The Secretary of the Army shall ensure that all relevant notifications to congressional defense committees include certification that the system in subsection (a) was queried.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to effect the application of title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.).

AMENDMENT NO. 63 OFFERED BY MR. BYRNE OF ALABAMA

Add at the end of subtitle B of title VIII the following new section:

SEC. 8___. DOCUMENTATION PERTAINING TO COMMERCIAL ITEM DETERMINATIONS.

Section 2380 of title 10, United States Code, is amended by—

(1) redesignating subsection (b) as subsection (c); and

(2) inserting after subsection (a) the following new subsection:

''(b) DETERMINATIONS REGARDING THE COMMERCIAL NATURE OF PRODUCTS OR SERVICES.—

''(1) IN GENERAL.—A contracting officer of the Department of Defense shall make a binding determination whether a particular product or service offered by a contractor meets the definition of a commercial product or commercial service. The contracting officer may seek the advice of the cadre of experts established pursuant to section 831(b)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1842; 10 U.S.C. 2306a note), or request the cadre of experts to make a determination that a product or service is a commercial product or commercial service.

''(2) MEMORANDUM.—Within 30 days after making a determination that a product or service is a commercial product or commercial service, the contracting officer shall submit a written memorandum summarizing the determination, consistent with the template in Appendix B of the Department of Defense Guidebook for Acquiring Commercial Items (issued January 2018 and revised July 2019), to—

''(A) the Director of the Defense Contract Management Agency for inclusion in any database established to fulfill the requirements of subsection (a)(2); and

''(B) the contractor asserting the commercial nature of the product or service.''.

AMENDMENT NO. 64 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Page 307, after line 3, insert the following new section:

SEC. 524. DEVELOPMENT OF GUIDELINES FOR USE OF UNOFFICIAL SOURCES OF INFORMATION TO DETERMINE ELIGIBILITY OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES FOR DECORATIONS AND BENEFITS WHEN THE SERVICE RECORDS ARE INCOMPLETE BECAUSE OF DAMAGE TO THE OFFICIAL RECORD.

Section 528 of National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 1121 note; 133 Stat.1357) is amended—

(1) in the section heading, by inserting ''**AND BENEFITS**'' after ''**DECORATIONS**'';

(2) in subsection (a)—

(A) by inserting ''and the Secretary of Veterans Affairs'' after ''military departments''; and

(B) by inserting ''and benefits'' after ''decorations'';

(3) by redesignating subsection (b) as subsection (c); and

(4) by inserting after subsection (a) the following new subsection:

''(b) CONSULTATION.—The Secretary of Defense shall prepare the guidelines in consultation with the Secretary of Veterans Affairs, with respect to veterans benefits under title 38, United States Code, whose eligibility determinations depend on the use of service records maintained by the Department of Defense.''.

AMENDMENT NO. 65 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of subtitle A of title XVI, add the following new section:

SEC. 16___. PERMANENT PERSONNEL MANAGEMENT AUTHORITY FOR SPACE DEVELOPMENT AGENCY FOR EXPERTS IN SCIENCE AND ENGINEERING.

(a) PROGRAM AUTHORIZED FOR SPACE DEVELOPMENT AGENCY.—Section 1599h(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) SDA.—The Director of the Space Development Agency may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for research and development projects and to enhance the administration and management of the Agency.''.

(b) PERSONNEL MANAGEMENT AUTHORITY.—Section 1599h(b)(1) of such title is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by inserting ''and'' after the semicolon at the end of subparagraph (F); and

(3) by adding at the end the following new subparagraph:

''(G) in the case of the Space Development Agency, appoint individuals to a total of not more than 10 positions in the Agency, of which not more than 5 such positions may be positions of administration or management of the Agency;''.

AMENDMENT NO. 66 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle D of title VII, insert the following new section:

SEC. 746. FUNDING FOR PANCREATIC CANCER RESEARCH.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for R&D Research is hereby increased by $5,000,000 for the purposes of a pancreatic cancer early detection initiative (EDI).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for Defense Health Program, as specified in the corresponding funding table in section 4501, for Base Operations/Communications is hereby reduced by $5,000,000.

AMENDMENT NO. 67 OFFERED BY MR. CASE OF HAWAII

At the end of subtitle F of title XXVIII, add the following new section:

SEC. 28___. DEPARTMENT OF DEFENSE REPORT ON EASEMENTS AND LEASED LANDS IN HAWAI'I.

(a) FINDINGS.—Congress finds the following:

(1) Lands throughout the State of Hawai'i currently owned and leased by the Department of Defense or in which the Department of Defense otherwise has a real property interest are critical to maintaining the readiness of the Armed Forces now stationed or to be stationed in Hawai'i and throughout the Indo-Pacific region and elsewhere.

(2) Securing long-term continued utilization of those lands by the Armed Forces is thus critical to the national defense.

(3) As a result of various factors, including complex land ownership and utilization issues and competing actual and potential uses, the interdependency of the various military components, and the necessity of maintaining public support for the presence and operations of the Armed Forces, the realization of the congressional and Department of Defense goals of ensuring the continuity of critical land and facilities infrastructure requires a sustained, dedicated, funded, top-level effort to coordinate realization of these goals across the Armed Forces, between the Department of Defense and other agencies of the Federal Government, and between the Department of Defense and the State of Hawai'i and its civilian sector.

(4) The end result of this effort must account for military and civilian concerns and for the changing missions and needs of all components of the Armed Forces stationed or otherwise operating out of the State of Hawai'i as the Department of Defense adjusts to meet the objectives outlined in the National Defense Strategy.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committee a report describing the progress being made by the Department of Defense to renew Department of Defense land leases and easements in the State of Hawai'i that encompass one acre or more and will expire before January 1, 2030. The report shall include the following:

(1) The location, size, and expiration date of each lease and easement.

(2) Major milestones and expected timelines for maintaining access to the land covered by each lease and easement.

(3) Actions completed over the preceding two years for each lease and easement.

(4) Department-wide and service-specific authorities governing each lease and easement extension.

(5) A summary of coordination efforts between the Secretary of Defense and the Secretaries of the military departments.

(6) The status of efforts to develop an inventory of military land in Hawai'i, to include current possible future uses, that would assist in land negotiations with the State of Hawai'i.

(7) The risks and potential solutions to ensure the renewability of required and critical leases and easements.

AMENDMENT NO. 68 OFFERED BY MR. CASTRO OF TEXAS

Page 481, after line 5, insert the following:

SEC. 7___. 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.''.

AMENDMENT NO. 69 OFFERED BY MR. CASTRO OF TEXAS

At the end of title XII, add the following:

Subtitle H—Global Child Thrive Act of 2020

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Global Child Thrive Act of 2020''.

SEC. 1282. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should continue efforts to reduce child mortality rates and increase attention on prevention efforts and early childhood development programs;

(2) investments in early childhood development ensure healthy and well-developed future generations that contribute to a country's stability, security and economic prosperity;

(3) efforts to provide training and education on nurturing care could result in improved early childhood development outcomes and support healthy brain development; and

(4) integration and cross-sector coordination of early childhood development programs is critical to ensure the efficiency, effectiveness, and continued implementation of such programs.

SEC. 1283. ASSISTANCE TO IMPROVE EARLY CHILDHOOD OUTCOMES GLOBALLY.

(a) AUTHORIZATION OF ASSISTANCE.—Amounts authorized to be appropriated to carry out section 135 in chapter 1 of part 1 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) for each of the fiscal years 2021 through 2025 are authorized to be made available to support early childhood development activities in conjunction with relevant, existing programming, such as water, sanitation and hygiene, maternal and child health, basic education, nutrition and child protection.

(b) ASSISTANCE TO IMPROVE EARLY CHILDHOOD INCOMES GLOBALLY.—Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:

''SEC. 137. ASSISTANCE TO IMPROVE EARLY CHILDHOOD OUTCOMES GLOBALLY.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Appropriations of the Senate;

''(B) the Committee on Foreign Relations of the Senate;

''(C) the Committee on Appropriations of the House of Representatives; and

''(D) the Committee on Foreign Affairs of the House of Representatives.

''(2) EARLY CHILDHOOD DEVELOPMENT.—The term 'early childhood development' means the development and learning of a child younger than 8 years of age, including physical, cognitive, social, and emotional development and approaches to learning that allow a child to reach his or her full developmental potential.

''(3) EARLY CHILDHOOD DEVELOPMENT PROGRAM.—The term 'early childhood development program' means a program that ensures that every child has the conditions for healthy growth, nurturing family-based care, development and learning, and protection from violence, exploitation, abuse, and neglect, which may include—

''(A) a health, clean water, sanitation, and hygiene program that serves pregnant women, children younger than 5 years of age, and the parents of such children;

''(B) a nutrition program, combined with stimulating child development activity;

''(C) age appropriate cognitive stimulation, especially for newborns, infants, and toddlers, including an early childhood intervention program for children experiencing at-risk situations, developmental delays, disabilities, and behavioral and mental health conditions;

''(D) an early learning (36 months and younger), preschool, and basic education program for children until they reach 8 years of age or complete primary school; or

''(E) a child protection program, with an emphasis on the promotion of permanent, safe, and nurturing families, rather than placement in residential care or institutions, including for children with disabilities.

''(4) FEDERAL DEPARTMENTS AND AGENCIES.—The term 'Federal departments and agencies' means—

''(A) the Department of State;

''(B) the United States Agency for International Development;

''(C) the Department of the Treasury;

''(D) the Department of Labor;

''(E) the Department of Education;

''(F) the Department of Agriculture;

''(G) the Department of Defense;

''(H) the Department of Health and Human Services, including—

''(i) the Centers for Disease Control and Prevention; and

''(ii) the National Institutes of Health;

''(I) the Millennium Challenge Corporation;

''(J) the Peace Corps; and

''(K) any other department or agency specified by the President for the purposes of this section.

''(5) RESIDENTIAL CARE.—The term 'residential care' means care provided in any non-family-based group setting, including orphanages, transit or interim care centers, children's homes, children's villages or cottage complexes, group homes, and boarding schools used primarily for care purposes as an alternative to a children's home.

''(b) STATEMENT OF POLICY.—It is the policy of the United States—

''(1) to support early childhood development in relevant foreign assistance programs, including by integrating evidence-based, efficient, and effective interventions into relevant strategies and programs, in coordination with partner countries, other donors, international organizations, international financial institutions, local and international nongovernmental organizations, private sector partners, civil society, and faith-based and community-based organizations; and

''(2) to encourage partner countries to lead early childhood development initiatives that include incentives for building local capacity for continued implementation and measurable results, by—

''(A) scaling up the most effective, evidence-based, national interventions, including for the most vulnerable populations and children with disabilities and developmental delays, with a focus on adaptation to country resources, cultures, and languages;

''(B) designing, implementing, monitoring, and evaluating programs in a manner that enhances their quality, transparency, equity, accountability, efficiency and effectiveness in improving child and family outcomes in partner countries; and

''(C) utilizing and expanding innovative public-private financing mechanisms.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Administrator of the United States Agency for International Development, in coordination with the Secretary of State, shall direct relevant Federal departments and agencies—

''(A) to incorporate, to the extent practical and relevant, early childhood development into foreign assistance programs to be carried out during the following 5 fiscal years; and

''(B) to promote inclusive early childhood development in partner countries.

''(2) ELEMENTS.—In carrying out paragraph (1), the Administrator, the Secretary, and the heads of other relevant Federal departments and agencies as appropriate shall—

''(A) build on the evidence and priorities outlined in 'Advancing Protection and Care for Children in Adversity: A U.S. Government Strategy for International Assistance 2019–2023', published in June 2019 (referred to in this section as 'APCCA');

''(B) to the extent practicable, identify evidence-based strategic priorities, indicators, outcomes, and targets, particularly emphasizing the most vulnerable populations and children with disabilities and developmental delays, to support inclusive early childhood development;

''(C) support the design, implementation, and evaluation of pilot projects in partner countries, with the goal of taking such projects to scale;

''(D) support inclusive early childhood development within all relevant sector strategies and public laws, including—

''(i) the Global Water Strategy required under section 136(j);

''(ii) the whole-of-government strategy required under section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9304 note);

''(iii) the Basic Education Strategy set forth in section 105(c);

''(iv) the U.S. Government Global Nutrition Coordination Plan, 2016–2021; and

''(v) APCCA; and others as appropriate;

''(E) improve coordination with foreign governments and international and regional organizations with respect to official country policies and plans to improve early childhood development, maternal, newborn, and child health and nutrition care, basic education, water, sanitation and hygiene, and child protection plans which promote nurturing, appropriate, protective, and permanent family care, while reducing the percentage of children living in residential care or on the street; and

''(F) consult with partner countries, other donors, international organizations, international financial institutions, local and international nongovernmental organizations, private sector partners and faith-based and community-based organizations, as appropriate.

''(d) ANNUAL REPORT ON THE IMPLEMENTATION OF THE STRATEGY.—The Special Advisor for Children in Adversity shall include, in the annual report required under section 5 of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005 (22 U.S.C. 2152g), which shall be submitted to the appropriate congressional committees and made publicly available, a description of—

''(1) the progress made toward integrating early childhood development interventions into relevant strategies and programs;

''(2) the efforts made by relevant Federal departments and agencies to implement subsection (c), with a particular focus on the activities described in such subsection;

''(3) the progress achieved during the reporting period toward meeting the goals, objectives, benchmarks, described in subsection (c); and

''(4) the progress achieved during the reporting period toward meeting the goals, objectives, benchmarks, and timeframes described in subsection (c) at the program level, along with specific challenges or gaps that may require shifts in targeting or financing in the following fiscal year.

''(e) INTERAGENCY TASK FORCE.—The Special Advisor for Assistance to Orphans and Vulnerable Children should regularly convene an interagency task force, to coordinate—

''(1) intergovernmental and interagency monitoring, evaluation, and reporting of the activities carried out pursuant to this section;

''(2) early childhood development initiatives that include children with a variety of needs and circumstances; and

''(3) United States Government early childhood development programs, strategies, and partnerships across relevant Federal departments and agencies.''.

SEC. 1284. SPECIAL ADVISOR FOR ASSISTANCE TO ORPHANS AND VULNERABLE CHILDREN.

Section 135(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152f(e)(2)) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) Coordinate assistance to orphans and other vulnerable children among the relevant Executive branch agencies and officials.''; and

(2) in subparagraph (B), by striking ''the various offices, bureaus, and field missions within the United States Agency for International Development'' and inserting ''the relevant Executive branch agencies and officials''.

SEC. 1285. RULE OF CONSTRUCTION.

Nothing in the amendments made by this subtitle may be construed to restrict or abrogate any other authorization for United States Agency for International Development activities or programs.

AMENDMENT NO. 70 OFFERED BY MR. CASTRO OF TEXAS

At the end of subtitle H of title V, add the following:

SEC. 578. REPORT TO CONGRESS ON EFFORTS TO INCREASE DIVERSITY AND REPRESENTATION IN FILM, TELEVISION, AND PUBLISHING.

(a) PROMULGATION OF POLICY.—The Secretary of Defense and each Secretary of a military department shall promulgate a policy to promote, to the maximum extent possible, the depiction of marginalized communities in projects with the film, television, and publishing industries carried out through the respective offices of public affairs.

(b) CONSIDERATION OF DEPICTION OF CERTAIN COMMUNITIES.—The Secretary of Defense and each Secretary of a military department shall consider the promotion of a marginalized community as an affirmative factor in any decision to provide assistance to a production studio or publishing company through the respective offices of public affairs.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with each Secretary of a military department, shall submit to the congressional defense committees a report on—

(1) the policies promulgated under subsection (a); and

(2) the activities carried out by the Secretary of Defense and each such Secretary of a military department pursuant to such subsection.

(d) DEFINITION OF MARGINALIZED COMMUNITY.—In this section, the term ''marginalized community'' means a community—

(1) that is (or historically was) under-represented in the film, television, and publishing industries, including—

(A) women;

(B) racial and ethnic minorities;

(C) individuals with disabilities;

(D) members of the LGBTQ community;

(E) individuals of all ages; and

(F) other individuals from under-represented communities; and

(2) whose members have served in the Armed Forces.

ADMENTMENT NO. 71 OFFERED BY MR. CHABOT OF OHIO

Add at the end of subtitle G of title XII the following:

SEC. 12___. REPORT ON INTERNALLY DISPLACED PEOPLES IN UKRAINE, GEORGIA, MOLDOVA, AND AZERBAIJAN.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees a report on the status of internally displaced persons in Ukraine, Georgia, the Republic of Moldova, and the Republic of Azerbaijan.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of the following:

(1) The number of citizens of Ukraine, Georgia, Moldova, and Azerbaijan who have been forcibly displaced in illegally occupied regions in Ukraine, Georgia, Moldova, and Azerbaijan by foreign forces since 1991.

(2) The number of citizens of Ukraine, Georgia, Moldova, and Azerbaijan who have been killed in regions illegally occupied by foreign forces since 1991.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 72 OFFERED BY MR. CHABOT OF OHIO

At the end of subtitle C of title XVI add the following new section:

SEC. 16___. FUNDING FOR NATIONAL CENTER FOR HARDWARE AND EMBEDDED SYSTEMS SECURITY AND TRUST.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Air Force, as specified in the corresponding funding table in section 4201, for Aerospace Sensors, line 009, is hereby increased by $3,000,000 for the National Center for Hardware and Embedded Systems Security and Trust.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1402 for chemical agents and munitions destruction, as specified in the corresponding funding table in section 4501, for Chem Demilitarization—RDT&E, is hereby reduced by $3,000,000.

AMENDMENT NO. 73 OFFERED BY MR. CHABOT OF OHIO

Page 837, after line 2, insert the following:

SEC. 12___. DETERRENCE STRATEGY AGAINST CHINESE-ORIGIN CYBER ATTACKS.

(a) FINDINGS.—Congress finds the following:

(1) Cyber-enabled industrial espionage and the large scale cybertheft of personal information by the People's Republic of China

(''PRC'') are severely detrimental to national security, economic vitality, and technological preeminence.

(2) Such attacks are generally situated within the context of state-sponsored gray zone campaigns and not generally ultimately attributable to sub-state actors.

(3) The United States response to such espionage has not included the imposition of sufficient costs on the PRC to deter or credibly respond to such attacks.

(b) STATEMENT OF POLICY.—It is the policy of the United States to deter and respond to industrial espionage and the theft of personal information conducted against the United States or United States persons by the PRC, PRC persons or entities, or persons or entities acting on behalf of the PRC.

(c) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a whole-of-government strategy, in unclassified and classified forms as specified in paragraphs (1) through (4), to impose costs on the PRC or appropriate PRC persons or entities in order to deter industrial espionage and the large-scale theft of personal information conducted by the PRC, PRC persons or entities, or persons or entities acting on behalf of the PRC against the United States or United States persons, that includes the following:

(1) An unclassified discussion of United States interests in preventing such cyber attacks that includes a general discussion of the impact on the United States and its economy from such attacks.

(2) An unclassified general discussion of the contexts in which and the means by which the United States will seek to deter such cyber attacks, that seeks to demonstrate the credibility of United States resolve to defend its interests in cyberspace.

(3) A classified theory of deterrence with respect to the PRC that explains—

(A) the means or combination of means, including available non-cyber responses, anticipated to achieve deterrence and the justification for such assessment; and

(B) an escalation ladder that describes the circumstances and the timeframe under which the President plans to invoke the use of such means to be effective to deter such attacks or to invoke lesser means to provide a credible response.

(4) A classified description of the roles of the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of the Treasury, the Secretary of Homeland Security, the Secretary of Health and Human Services, and, as appropriate, the head of each element of the intelligence community (as such term is defined by section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) in carrying out such strategy.

(d) IMPLEMENTATION PLAN.—Not later than 30 days after the date of the submission of the strategy required by subsection (c), each Federal official listed in subsection (c)(4) shall submit to the appropriate congressional committees a classified implementation plan to describe the manner in which the respective department or agency will carry out this strategy.

(e) UPDATE.—Not later than 1 year after the date of the submission of the strategy required by subsection (c), and annually thereafter, the President shall submit to the appropriate congressional committees an unclassified assessment of the effectiveness of the strategy, an unclassified summary of the lessons learned from the past year on the effectiveness of deterrence (which may contain a classified annex), and an unclassified summary of planned changes to the strategy with a classified annex on changes to its theory of deterrence.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Energy and Commerce, the Committee on Homeland Security, and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Government Affairs, and the Committee on the Judiciary of the Senate.

AMENDMENT NO. 74 OFFERED BY MR. CHABOT OF OHIO

Add at the end of subtitle G of title XII the following:

SEC. 12____. SENSE OF CONGRESS ON CROSS-BORDER VIOLENCE IN THE GALWAN VALLEY AND THE GROWING TERRITORIAL CLAIMS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) FINDINGS.—Congress makes the following findings:

(1) Since a truce in 1962 ended skirmishes between India and the People's Republic of China, the countries have been divided by a 2,100-mile-long Line of Actual Control.

(2) In the decades since the truce, military standoffs between India and the People's Republic of China have flared; however, the standoffs have rarely claimed the lives of soldiers.

(3) In the months leading up to June, 15, 2020, along the Line of Actual Control, the People's Republic of China—

(A) reportedly amassed 5,000 soldiers; and

(B) is believed to have crossed into previously disputed territory considered to be settled as part of India under the 1962 truce.

(4) On June 6, 2020, the People's Republic of China and India reached an agreement to de-escalate and disengage along the Line of Actual Control.

(5) On June 15, 2020, at least 20 Indian soldiers and an unconfirmed number of Chinese soldiers were killed in skirmishes following a weeks-long standoff in Eastern Ladakh, which is the de facto border between India and the People's Republic of China.

(6) Following the deadly violence, Prime Minister Narendra Modi of India stated, ''[w]henever there have been differences of opinion, we have always tried to ensure that those differences never turned into a dispute''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) India and the People's Republic of China should work toward deescalating the situation along the Line of Actual Control; and

(2) the expansion and aggression of the People's Republic of China in and around disputed territories, such as the Line of Actual Control, the South China Sea, the Senkaku Islands, is of significant concern.

AMENDMENT NO. 75 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle E of title XVII, add the following:

SEC. _____. ESTABLISHMENT OF SOUTHERN NEW ENGLAND REGIONAL COMMISSION.

(a) ESTABLISHMENT.—Section 15301(a) of title 40, United States Code, is amended by adding at the end the following:

''(4) The Southern New England Regional Commission.''.

(b) DESIGNATION OF REGION.—

(1) IN GENERAL.—Subchapter II of chapter 157 of such title is amended by adding at the end the following:

''§ 15734. Southern New England Regional Commission

''The region of the Southern New England Regional Commission shall include the following counties:

''(1) RHODE ISLAND.—The counties of Providence, Washington, Newport, and Bristol in the State of Rhode Island.

''(2) CONNECTICUT.—The counties of Hartford, New Haven, and New London in the State of Connecticut.

''(3) MASSACHUSETTS.—The counties of Hampden and Bristol in the State of Massachusetts.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for Subchapter II of chapter 157 of such title is amended by adding at the end the following:

''15734. Southern New England Regional Commission.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—The authorization of appropriations in section 15751 of title 40, United States Code, shall apply with respect to the Southern New England Regional Commission beginning with fiscal year 2021.

AMENDMENT NO. 76 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle D of title VII, insert the following new section:

SEC. 7____. REPORT ON MENTAL HEALTH TREATMENT RELATING TO PREGNANCY.

(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 with respect to mental health treatment relating to pregnancy that assesses the following:

(1) The extent to which treatment for covered mental health issues is available and accessible to active duty members of the Armed Forces and the spouses of such members.

(2) The extent to which data on the rate of occurrence of covered mental health issues among active duty members of the Armed Forces, and the spouses of such members, is collected.

(3) The barriers that prevent active duty members of the Armed Forces, and the spouses of such members, from seeking or obtaining care for covered mental health issues.

(4) The ways in which the Department of Defense is addressing barriers identified under paragraph (3).

(b) COVERED MENTAL HEALTH ISSUES DEFINED.—In this section, the term ''covered mental health issues'' means pregnancy-related depression, postpartum depression, and other pregnancy-related mood disorders.

AMENDMENT NO. 77 OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle E of title II, add the following new section:

SEC. 2____. ASSESSMENTS OF INTELLIGENCE, DEFENSE, AND MILITARY IMPLICATIONS OF DEEPFAKE VIDEOS AND RELATED TECHNOLOGIES.

(a) INTELLIGENCE THREAT ASSESSMENT.—

(1) IN GENERAL.—In conjunction with each annual report required under section 5709(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) (relating to deepfake technology and the foreign weaponization of deepfakes), the Director of National Intelligence shall submit to the Secretary of Defense and the appropriate congressional committees a supplemental report on the intelligence, defense, and military implications of deepfake videos and related technologies.

(2) ELEMENTS.—Each supplemental report under paragraph (1) shall include—

(A) a description of new developments with respect to the national security implications of machine-manipulated media, and intelligence community responses to such developments, as it pertains to those matters described in section 5709(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92);

(B) a description of any known efforts by the militaries of the People's Republic of China or the Russian Federation or any governmental elements that provide intelligence support to such militaries, to deploy machine-manipulated media in the context of any ongoing geopolitical disputes, armed conflicts, or related operations; and

(C) an assessment of additional future security risks posed by artificial intelligence technologies that facilitate the creation of machine-manipulated media, including security risks in contexts other than influence or information operations (including the potential subversion of biometric authentication systems).

(3) INTERIM REPORT.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Secretary of Defense and the appropriate congressional committees a report on the preliminary findings of the Director with respect to each element described in subsection (2).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MILITARY RISK ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after date on which the report under subsection (a)(3) is submitted to the Secretary of Defense, the Secretary shall submit to the congressional defense committees an assessment, based on the results of such report, of the risks posed by machine-manipulated media to the operations, personnel, and activities of the Department of Defense and the Armed Forces.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) An assessment of the risks posed by machine-manipulated media in the contexts of military planning, defense intelligence collection, operational decision-making, and such other contexts as the Secretary of Defense deems appropriate.

(B) A description of how the Department of Defense would assess, particularly under limited time constraints, the legitimacy of machine-manipulated media purporting to depict activities relevant to ongoing military operations (such as a deepfake video purporting to depict a foreign government official announcing an impending military strike, retreat, or other tactical action).

(C) A description of any efforts of the Department of Defense to combat the actual or potential creation of machine-manipulated media that falsely depicts or replicates biometric identifiers of Federal Government officials, and an assessment of the feasibility of adopting or developing technologies to reduce the likelihood of video, audio, or visual content produced or distributed by the Department of Defense from being manipulated or exploited in such manner.

(D) An assessment of the Department of Defense's current machine-manipulated media detection capabilities, and recommendations with respect to improving such capabilities.

(c) FORM.—The reports required under subsections (a) and (b) may be submitted in classified form, but if so submitted, shall be accompanied by unclassified annexes.

(d) MACHINE-MANIPULATED MEDIA DEFINED.—In this section, the term ''machine-manipulated media'' has the meaning given that term in section 5724(d) of the National Defense Authorization Act for Fiscal Year 2020 1 (Public Law 116–92).

AMENDMENT NO. 78 OFFERED BY MS. CLARKE OF NEW YORK

Page 143, after line 24 (relating to the establishment of the Steering Committee on Emerging Technology), add the following new subsection:

(g) DEEPFAKE WORKING GROUP.—

(1) IN GENERAL.—The co-chairs stall establish a working group, in coordination with the Defense Advanced Research Project Agency and such other departments and agencies of the Federal Government as the co-chairs deem appropriate, to—

(A) inform the Steering Committee's activities with respect to the national security implications of machine-manipulated media (commonly known as ''deepfakes'');

(B) assess the Federal Government's capabilities with respect to technologies to detect, or otherwise counter and combat, machine-manipulated media and other advanced image manipulation methods;

(C) assess the machine-manipulated media capabilities of foreign countries and non-state actors, with particular emphasis on the People's Republic of China and the Russian Federation; and

(D) provide recommendations to the Steering Committee on the matters described in subparagraphs (A) through (C).

(2) MACHINE-MANIPULATED MEDIA DEFINED.—In this subsection, the term ''machine-manipulated media'' has the meaning given that term in section 5724(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

Page 144, line 1, strike ''(g)'' and insert ''(h)''.

Page 144, line 7, after ''intelligence'' insert ''(including deepfake videos and related technologies)''.

AMENDMENT NO. 79 OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. 1273. ENHANCING ENGAGEMENT WITH THE CARIBBEAN.

It is the sense of Congress that—

(1) the prosperity and security of the Caribbean region is a matter of significant importance for the United States, and promotion of such should be a component of United States policy;

(2) the United States and the Caribbean region, due to both geographic proximity and close societal ties, are bound together by a variety of shared interests, including with respect to—

(A) enhancing mutual resiliency and preparedness for natural disasters;

(B) coordinating humanitarian responses to such disasters;

(C) advancing trade, investment, academic exchange, and other cooperative efforts between the United States and the Caribbean region;

(D) enhancing Caribbean states' security and safeguarding territorial sovereignty, including from risks related to predatory financing;

(E) strengthening the rule of law, supporting civil society, and upholding human rights;

(F) addressing other mutual challenges, including hemispheric efforts to combat the coronavirus pandemic; and

(G) countering drug trafficking;

(3) in furtherance of these and other shared interests, the United States should strengthen its engagement with the Caribbean region; and

(4) the Department of State's and the Department of Defense's facilitation of such engagement is essential, given the role of the various agencies of the United States government in coordinating humanitarian responses and United States national security.

AMENDMENT NO. 80 OFFERED BY MS. CLARKE OF NEW YORK

Page 1418, line 25, strike ''and''.

Page 1419, line 2, strike the period and insert ''; and''.

Page 1419, after line 2, insert the following:

(D) artificial intelligence systems that may perpetuate societal biases against protected classes of persons, including on the basis of sex, race, age, disability, color, creed, national origin, or religion, or otherwise automate discriminatory decision-making.

SEC. 5109. RULE OF CONSTRUCTION REGARDING ETHICAL ARTIFICIAL INTELLIGENCE.

For purposes of this division, the term ''ethical'' (when used in the context of artificial intelligence) shall be deemed to include efforts to minimize or eliminate discriminatory algorithmic bias, particularly as it pertains to protected classes of persons, including on the basis of sex, race, age, disability, color, creed, national origin, or religion.

AMENDMENT NO. 81 OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle E of title X, add the following:

SEC. 1052. PROHIBITION ON USE OF FUNDS FOR DISCRIMINATORY ALGORITHMIC DECISIONMAKING SYSTEMS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Joint Artificial Intelligence Center to acquire or develop new artificial intelligence systems may be obligated or expended unless the Department of Defense, or the vendor of such new system, has—

(1) assessed such algorithmic decision-making system, or commits to assess such system within 1 year of the date of such acquisition or completion of development, with respect to its potential to perpetuate or introduce discriminatory bias against protected classes of persons, including on the basis of sex, race, age, disability, color, creed, national origin, or religion, and after the completion of such assessment, transmits to the Secretary a description of the methodology by which such assessment was conducted;

(2) sought to address any unintended discriminatory bias identified pursuant to paragraph (1) prior to deploying such system, and through periodic assessments during use of such systems, in any context where such usage poses a tangible risk of resulting in an action which could reasonably be seen to violate any law, policy, regulation, or other codified practice of the United States with respect to anti-discrimination, equal protection, or civil rights, and transmitted to the Secretary a description of the measures undertaken to comply with the requirements of this section; and

(3) ensured that such system conforms to the DoD AI Ethics Principles for purposes of identifying and addressing the causes of potential discriminatory biases in the system.

AMENDMENT NO. 82 OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle A of title XVII, add the following new section:

SEC. 17____. SENSE OF CONGRESS AND STRATEGY ON CATASTROPHIC CRITICAL INFRASTRUCTURE FAILURE RESPONSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the occurrence of a catastrophic critical infrastructure failure event, in which key networks facilitating the delivery of essential services such as electricity, water, or communications fail for an extended duration, would constitute a significant threat to the national security and common welfare of the United States;

(2) such a catastrophic critical infrastructure failure event could occur by various means, including but not limited to those linked to natural phenomenon (including earthquakes, hurricanes, or geomagnetic disturbances) or military conflict (including cyberattacks, electromagnetic pulse effects, or kinetic assault); and

(3) the Department of the Defense should strengthen its preparedness for catastrophic critical infrastructure failure events, including with respect to preemptive infrastructure enhancements, the facilitation of resiliency and relief efforts in the aftermath thereto, and the mitigation of impacts of such an event on activities of the Department.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes an analysis of each of the following:

(A) Particular threat scenarios involving catastrophic critical infrastructure failure events which the Secretary believes could be adequately addressed by existing Department of Defense plans and resources.

(B) Particular threat scenarios involving catastrophic critical infrastructure failure events which the Secretary believes could not currently be adequately addressed by existing Department of Defense plans and resources.

(C) Unique challenges, with respect to activities and operations of the Department of Defense, presented by catastrophic critical infrastructure failure events involving geomagnetic disturbance or electromagnetic pulse events.

(D) Strategies to increase future preparedness with respect to any threat scenarios identified pursuant to subparagraph (B).

(2) FORM.—The report under paragraph (1) may be submitted in classified form, but if so submitted, shall be accompanied by an unclassified summary.

AMENDMENT NO. 83 OFFERED BY MS. CLARKE OF NEW YORK

Page 443, line 12, insert ''xenophobic,'' after ''racist,''.

AMENDMENT NO. 84 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle D of title XII, add the following:

SEC. __. REPORT ON PRESENCE OF RUSSIAN MILITARY FORCES IN OTHER FOREIGN COUNTRIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that contains the following:

(1) A list of foreign countries that have consented to host military forces of Russia, including a description of—

(A) any agreement between each country and Russia to host such forces;

(B) the number of Russian military forces that are present in each country;

(C) the location of Russian military forces that are present in each country;

(D) the types of Russian military force structures that are present in each country;

(E) the level and type of United States security assistance provided to each country; and

(F) any military exercises that Russian forces have undertaken with each country.

(2) A list of foreign countries with respect to which Russia has deployed military forces in violation of the territorial sovereignty of such countries, including a description of—

(A) the number of Russian military forces that are present in each country;

(B) the location of Russian military forces that are present in each country; and

(C) the types of Russian military force structures that are present in each country.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(3) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

AMENDMENT NO. 85 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle A of title X, insert the following:

SEC. 10___. DEPARTMENT OF DEFENSE AUDIT REMEDIATION PLAN.

Section 240g(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraphs:

''(4) the amount spent by the Department on operating and maintaining financial management systems during the preceding five fiscal years; and

''(5) the amount spent by the Department on acquiring or developing new financial management systems during such five fiscal years.''.

AMENDMENT NO. 86 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle A of title XVII, add the following:

SEC. 17_____. GAO STUDY ON THE SCHOOL-TO-PRISON PIPELINE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the school to prison pipeline in order to—

(1) highlight this issue;

(2) offer proof of concept to States that evidence-based interventions, such as restorative practices, are—

(A) more effective than punitive, exclusionary measures;

(B) improve student achievement; and

(C) enhance public safety and student-well-being; and

(3) determine the long-term benefits of replacing a punitive approach to discipline with restorative practices in schools, by analyzing the potential savings generated by helping children stay in school and out of the criminal justice system.

(b) COST-BENEFIT ANALYSIS.—The study conducted under subsection (a) shall include a cost-benefit analysis to determine the effectiveness and impact of school resource officers and local law enforcement personnel on school climate and student discipline.

(c) REPORT.—Upon the conclusion of the study under subsection (a), the Comptroller General of the United States shall prepare and submit to Congress a report regarding the study and the conclusions and recommendations generated from the study.

AMENDMENT NO. 87 OFFERED BY MR. COLE OF OKLAHOMA

At the end of subtitle A of title VII, add the following new section:

SEC. 705. EXPANSION OF BENEFITS AVAILABLE UNDER TRICARE EXTENDED CARE HEALTH OPTION PROGRAM.

(a) EXTENDED BENEFITS FOR ELIGIBLE DEPENDENTS.—Subsection (e) of section 1079 of title 10, United States Code, is amended to read as follows:

''(e)(1) Extended benefits for eligible dependents under subsection (d) may include comprehensive health care services (including services necessary to maintain, or minimize or prevent deterioration of, function of the patient) and case management services with respect to the qualifying condition of such a dependent, and include, to the extent such benefits are not provided under provisions of this chapter other than under this section, the following:

''(A) Diagnosis and screening.

''(B) Inpatient, outpatient, and comprehensive home health care supplies and services which may include cost effective and medically appropriate services other than part-time or intermittent services (within the meaning of such terms as used in the second sentence of section 1861(m) of the Social Security Act).

''(C) Rehabilitation and habilitation services and devices.

''(D) Institutional care in private nonprofit, public, and State institutions and facilities and, if appropriate, transportation to and from such institutions and facilities.

''(E) Custodial care, notwithstanding the prohibition in section 1077(b)(1) of this title.

''(F) In accordance with paragraph (2), respite care for the primary caregiver of the eligible dependent.

''(G) In accordance with paragraph (3), service and modification of durable equipment and assistive technology devices.

''(H) Special education.

''(I) Vocational training, which may be furnished to an eligible dependent in the residence of the eligible dependent or at a facility in which such training is provided.

''(J) In accordance with paragraph (4), adaptations to the private residence and vehicle of the eligible dependent.

''(K) Such other services and supplies as determined appropriate by the Secretary, notwithstanding the limitations in subsection (a)(12).

''(2) Respite care under paragraph (1)(F) shall be provided subject to the following conditions:

''(A) Pursuant to regulations prescribed by the Secretary for purposes of this paragraph, such respite care shall be limited to—

''(i) 50 hours per month for a primary caregiver not covered by clause (ii); or

''(ii) 40 hours per week for cases where the Secretary determines that the plan of care for the eligible dependent includes frequent interventions by the primary caregiver.

''(B) Unused hours of respite care may not be carried over to another month.

''(C) Such respite care may be provided to an eligible beneficiary regardless of whether the eligible beneficiary is receiving another benefit under this subsection.

''(3)(A) Service and modification of durable equipment and assistive technology devices under paragraph (1)(G) may be provided only upon determination by the Secretary that the service or modification is necessary for the use of such equipment or device by the eligible dependent.

''(B) Service and modification of durable equipment and assistive technology devices under such paragraph may not be provided—

''(i) in the case of misuse, loss, or theft of the equipment or device; or

''(ii) for a deluxe, luxury, or immaterial feature of the equipment or device, as determined by the Secretary.

''(C) Service and modification of durable equipment and assistive technology devices

under such paragraph may include training of the eligible dependent and immediate family members of the eligible dependent on the use of the equipment or device.

''(4)(A) Adaptations to the private residence and vehicle of the eligible dependent under paragraph (1)(J) may be provided if such adaptations—

''(i) are determined to be medically necessary by the provider responsible for the care of the eligible dependent with respect to the qualifying condition; and

''(ii) are necessary to assist in—

''(I) the reduction of the disabling effects of the qualifying condition; or

''(II) maintenance of the present functionality of the eligible dependent.

''(B) With respect to a vehicle, adaptations may be provided under such paragraph if the vehicle is the primary means of transportation of the eligible dependent.''.

(b) CONFORMING AMENDMENT.—Subsection (f) of such section is amended by striking ''paragraph (3) or (4) of subsection (e)'' each place it appears and inserting ''subparagraph (C), (D), (G), (H), or (I) of subsection (e)(1)''.

(c) ADDITIONAL REQUIREMENTS IN OFFICE OF SPECIAL NEEDS ANNUAL REPORT.—Section 1781c(g)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) With respect to the Extended Care Health Option program under section 1079(d) of ths title—

''(i) the utilization rates of services under such program by eligible dependents (as such term is defined in such section) during the prior year;

''(ii) a description of gaps in such services, as ascertained by the Secretary from information provided by families of eligible dependents;

''(iii) an assessment of factors that prevent knowledge of and access to such program, including a discussion of actions the Secretary may take to address these factors; and

''(iv) an assessment of the average wait time for an eligible dependent enrolled in the program to access alternative health coverage for a qualifying condition (as such term is defined in such section), including a discussion of any adverse health outcomes associated with such wait.''.

(d) COMPTROLLER GENERAL REPORT.—The Comptroller General of the United States shall submit to Congress a report containing a study on caregiving available through programs such as State Home and Community Based Services and the Program of Comprehensive Assistance for Family Caregivers of the Department of Veterans Affairs under section 1720G of title 38, United States Code. The report shall—

(1) include input from payers, administrators, consumers, and advocates in order to analyze best practices for administering programs to support caregivers of individuals with intellectual or physical disabilities; and

(2) compare the provision of respite and related care through the Extended Care Health Option program under section 1079(d) of title 10, United States Code, to recognized best practices and, if needed, make recommendations for improvement.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2020.

(f) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Defense Health Program, In-House Care, is hereby increased by $15,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Defense Health Program, Private Sector Care, is hereby reduced by $15,000,000.

AMENDMENT NO. 88 OFFERED BY MR. COLLINS OF GEORGIA

At the end of subtitle A of title VII, add the following new section:

SEC. 7____. PROVISION OF HEARING AIDS FOR DEPENDENTS OF CERTAIN MEMBERS OF THE RESERVE COMPONENTS.

Section 1077(g) of title 10, United States Code, is amended—

(1) by striking ''In addition'' and inserting ''(1) In addition''; and

(2) by adding at the end the following new paragraph:

''(2) For purposes of providing hearing aids under subsection (a)(16), a dependent of a member of the reserve components who is enrolled in the TRICARE program under section 1076d of this title shall be deemed to be a dependent of a member of the uniformed services on active duty.''.

AMENDMENT NO. 89 OFFERED BY MR. CONNOLLY OF VIRGINIA

Page 1115, after line 5, insert the following new section (and amend the table of contents accordingly):

SEC. 1762. FEDRAMP AUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Federal Risk and Authorization Management Program Authorization Act of 2020'' or the ''FedRAMP Authorization Act''.

(b) CODIFICATION OF THE FEDRAMP PROGRAM.—

(1) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following new sections:

''§ 3607. Federal Risk and Authorization Management Program

''(a) ESTABLISHMENT.—There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator of General Services, in accordance with the guidelines established pursuant to section 3612, shall establish a governmentwide program that provides the authoritative standardized approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

''(b) COMPONENTS OF FEDRAMP.—The Joint Authorization Board and the FedRAMP Program Management Office are established as components of FedRAMP.

''§ 3608. FedRAMP Program Management Office

''(a) GSA DUTIES.—

''(1) ROLES AND RESPONSIBILITIES.—The Administrator of General Services shall—

''(A) determine the categories and characteristics of cloud computing information technology goods or services that are within the jurisdiction of FedRAMP and that require FedRAMP authorization from the Joint Authorization Board or the FedRAMP Program Management Office;

''(B) develop, coordinate, and implement a process for the FedRAMP Program Management Office, the Joint Authorization Board, and agencies to review security assessments of cloud computing services pursuant to subsections (b) and (c) of section 3611, and appropriate oversight of continuous monitoring of cloud computing services; and

''(C) ensure the continuous improvement of FedRAMP.

''(2) IMPLEMENTATION.—The Administrator shall oversee the implementation of FedRAMP, including—

''(A) appointing a Program Director to oversee the FedRAMP Program Management Office;

''(B) hiring professional staff as may be necessary for the effective operation of the FedRAMP Program Management Office, and such other activities as are essential to properly perform critical functions;

''(C) entering into interagency agreements to detail personnel on a reimbursable or nonreimbursable basis to assist the FedRAMP Program Management Office and the Joint Authorization Board in discharging the responsibilities of the Office under this section; and

''(D) such other actions as the Administrator may determine necessary to carry out this section.

''(b) DUTIES.—The FedRAMP Program Management Office shall have the following duties:

''(1) Provide guidance to independent assessment organizations, validate the independent assessments, and apply the requirements and guidelines adopted in section 3609(c)(5).

''(2) Oversee and issue guidelines regarding the qualifications, roles, and responsibilities of independent assessment organizations.

''(3) Develop templates and other materials to support the Joint Authorization Board and agencies in the authorization of cloud computing services to increase the speed, effectiveness, and transparency of the authorization process, consistent with standards defined by the National Institute of Standards and Technology.

''(4) Establish and maintain a public comment process for proposed guidance before the issuance of such guidance by FedRAMP.

''(5) Issue FedRAMP authorization for any authorizations to operate issued by an agency that meets the requirements and guidelines described in paragraph (1).

''(6) Establish frameworks for agencies to use authorization packages processed by the FedRAMP Program Management Office and Joint Authorization Board.

''(7) Coordinate with the Secretary of Defense and the Secretary of Homeland Security to establish a framework for continuous monitoring and reporting required of agencies pursuant to section 3553.

''(8) Establish a centralized and secure repository to collect and share necessary data, including security authorization packages, from the Joint Authorization Board and agencies to enable better sharing and reuse to such packages across agencies.

''(c) EVALUATION OF AUTOMATION PROCEDURES.—

''(1) IN GENERAL.—The FedRAMP Program Management Office shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of provisional authorizations to operate issued by the Joint Authorization Board and FedRAMP authorizations, including continuous monitoring of cloud environments and among cloud environments.

''(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of the enactment of this section and updated annually thereafter, the FedRAMP Program Management Office shall establish a means for the automation of security assessments and reviews.

''(d) METRICS FOR AUTHORIZATION.—The FedRAMP Program Management Office shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pursuant to section 3554 in a manner that minimizes the agency reporting burden.

"§ 3609. Joint Authorization Board

''(a) ESTABLISHMENT.—There is established the Joint Authorization Board which shall consist of cloud computing experts, appointed by the Director in consultation with the Administrator, from each of the following:

''(1) The Department of Defense.

''(2) The Department of Homeland Security.

''(3) The General Services Administration.

''(4) Such other agencies as determined by the Director, in consultation with the Administrator.

''(b) ISSUANCE OF PROVISIONAL AUTHORIZATIONS TO OPERATE.—The Joint Authorization Board shall conduct security assessments of cloud computing services and issue provisional authorizations to operate to cloud service providers that meet FedRAMP security guidelines set forth in section 3608(b)(1).

''(c) DUTIES.—The Joint Authorization Board shall—

''(1) develop and make publicly available on a website, determined by the Administrator, criteria for prioritizing and selecting cloud computing services to be assessed by the Joint Authorization Board;

''(2) provide regular updates on the status of any cloud computing service during the assessment and authorization process of the Joint Authorization Board;

''(3) review and validate cloud computing services and independent assessment organization security packages or any documentation determined to be necessary by the Joint Authorization Board to evaluate the system security of a cloud computing service;

''(4) in consultation with the FedRAMP Program Management Office, serve as a resource for best practices to accelerate the FedRAMP process;

''(5) establish requirements and guidelines for security assessments of cloud computing services, consistent with standards defined by the National Institute of Standards and Technology, to be used by the Joint Authorization Board and agencies;

''(6) perform such other roles and responsibilities as the Administrator may assign, in consultation with the FedRAMP Program Management Office and members of the Joint Authorization Board; and

''(7) establish metrics and goals for reviews and activities associated with issuing provisional authorizations to operate and provide to the FedRAMP Program Management Office.

''(d) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING SERVICES.—The Joint Authorization Board shall consult with the Chief Information Officers Council established in section 3603 to establish a process for prioritizing and accepting the cloud computing services to be granted a provisional authorization to operate through the Joint Authorization Board, which shall be made available on a public website.

''(e) DETAIL OF PERSONNEL.—To assist the Joint Authorization Board in discharging the responsibilities under this section, personnel of agencies may be detailed to the Joint Authorization Board for the performance of duties described under subsection (c).

"§ 3610. Independent assessment organizations

''(a) REQUIREMENTS FOR ACCREDITATION.—The Joint Authorization Board shall determine the requirements for certification of independent assessment organizations pursuant to section 3609. Such requirements may include developing or requiring certification programs for individuals employed by the independent assessment organizations who lead FedRAMP assessment teams.

''(b) ASSESSMENT.—Accredited independent assessment organizations may assess, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers.

"§ 3611. Roles and responsibilities of agencies

''(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3612—

''(1) create policies to ensure cloud computing services used by the agency meet FedRAMP security requirements and other risk-based performance requirements as defined by the Director;

''(2) issue agency-specific authorizations to operate for cloud computing services in compliance with section 3554;

''(3) confirm whether there is a provisional authorization to operate in the cloud security repository established under section 3608(b)(10) issued by the Joint Authorization Board or a FedRAMP authorization issued by the FedRAMP Program Management Office before beginning an agency authorization for a cloud computing product or service;

''(4) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received either a provisional authorization to operate by the Joint Authorization Board or a FedRAMP authorization by the FedRAMP Program Management Office, use the existing assessments of security controls and materials within the authorization package; and

''(5) provide data and information required to the Director pursuant to section 3612 to determine how agencies are meeting metrics as defined by the FedRAMP Program Management Office.

''(b) SUBMISSION OF POLICIES REQUIRED.—Not later than 6 months after the date of the enactment of this section, the head of each agency shall submit to the Director the policies created pursuant to subsection (a)(1) for review and approval.

''(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an authorization to operate or a provisional authorization to operate issued by an agency, the head of each agency shall provide a copy of the authorization to operate letter and any supplementary information required pursuant to section 3608(b) to the FedRAMP Program Management Office.

''(d) PRESUMPTION OF ADEQUACY.—

''(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for provisional authorizations to operate issued by the Joint Authorization Board and agency authorizations to operate that receive FedRAMP authorization from the FedRAMP Program Management Office shall be presumed adequate for use in agency authorizations of cloud computing products and services.

''(2) INFORMATION SECURITY REQUIREMENTS.—The presumption under paragraph (1) does not modify or alter the responsibility of any agency to ensure compliance with subchapter II of chapter 35 for any cloud computing products or services used by the agency.

"§ 3612. Roles and responsibilities of the Office of Management and Budget

''The Director shall have the following duties:

''(1) Issue guidance to ensure that an agency does not operate a Federal Government cloud computing service using Government data without an authorization to operate issued by the agency that meets the requirements of subchapter II of chapter 35 and FedRAMP.

''(2) Ensure agencies are in compliance with any guidance or other requirements issued related to FedRAMP.

''(3) Review, analyze, and update guidance on the adoption, security, and use of cloud computing services used by agencies.

''(4) Ensure the Joint Authorization Board is in compliance with section 3609(c).

''(5) Adjudicate disagreements between the Joint Authorization Board and cloud service providers seeking a provisional authorization to operate through the Joint Authorization Board.

''(6) Promulgate regulations on the role of FedRAMP authorization in agency acquisition of cloud computing products and services that process unclassified information.

"§ 3613. Authorization of appropriations for FEDRAMP

''There is authorized to be appropriated $20,000,000 each year for the FedRAMP Program Management Office and the Joint Authorization Board.

"§ 3614. Reports to Congress

''Not later than 12 months after the date of the enactment of this section, and annually thereafter, the Director shall submit to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

''(1) The status, efficiency, and effectiveness of FedRAMP Program Management Office and agencies during the preceding year in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for cloud computing products and services, including progress towards meeting the metrics adopted by the FedRAMP Program Management Office pursuant to section 3608(d) and the Joint Authorization Board pursuant to section 3609(c)(5).

''(2) Data on agency use of provisional authorizations to operate issued by the Joint Authorization Board and agency sponsored authorizations that receive FedRAMP authorization by the FedRAMP Program Management Office.

''(3) The length of time for the Joint Authorization Board to review applications for and issue provisional authorizations to operate.

''(4) The length of time for the FedRAMP Program Management Office to review agency applications for and issue FedRAMP authorization.

''(5) The number of provisional authorizations to operate issued by the Joint Authorization Board and FedRAMP authorizations issued by the FedRAMP Program Management Office for the previous year.

''(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting as described in this section.

''(7) The number and characteristics of authorized cloud computing services in use at each agency consistent with guidance provided by the Director in section 3612.

"§ 3615. Federal Secure Cloud Advisory Committee

''(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

''(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the 'Committee') to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

''(2) PURPOSES.—The purposes of the Committee are the following:

''(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

''(i) Measures to increase agency re-use of provisional authorizations to operate issued by the Joint Authorization Board.

''(ii) Proposed actions that can be adopted to reduce the cost of provisional authorizations to operate and FedRAMP authorizations for cloud service providers.

''(iii) Measures to increase the number of provisional authorizations to operate or FedRAMP authorizations for cloud computing services offered by small businesses (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(B) Collect information and feedback on agency compliance with and implementation of FedRAMP requirements.

''(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

''(3) DUTIES.—The duties of the Committee are, at a minimum, the following:

''(A) Provide advice and recommendations to the Administrator, the Joint Authorization Board, and to agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing services.

''(B) Submit reports as required.

''(b) MEMBERS.—

''(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Administrator of the Office of Electronic Government, as follows:

''(A) The Administrator or the Administrator's designee, who shall be the Chair of the Committee.

''(B) At least one representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

''(C) At least two officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(D) At least one official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(E) At least one individual representing an independent assessment organization.

''(F) No fewer than five representatives from unique businesses that primarily provide cloud computing services or products, including at least two representatives from a small business (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

''(G) At least two other government representatives as the Administrator determines to be necessary to provide sufficient balance, insights, or expertise to the Committee.

''(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 30 days after the date of the enactment of this Act.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1, 2, or 3 year terms to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. 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 member's term until a successor has taken office.

''(c) MEETINGS AND RULES OF PROCEDURES.—

''(1) MEETINGS.—The Committee shall hold not fewer than three meetings in a calendar year, at such time and place as determined by the Chair.

''(2) INITIAL MEETING.—Not later than 120 days after the date of the enactment of this section, the Committee shall meet and begin the operations of the Committee.

''(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee, if such rules are not inconsistent with this section or other applicable law.

''(d) EMPLOYEE STATUS.—

''(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with another Federal appointment) shall not be considered an employee of the Federal Government by reason of any service as such a member, except for the purposes of section 5703 of title 5, relating to travel expenses.

''(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the panel.

''(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding any other provision of law, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee, except that section 14 of such Act shall not apply.

''(f) HEARINGS AND EVIDENCE.—The Committee, or on the authority of the Committee, any subcommittee, may, for the purposes of carrying out this section, hold hearings, sit and act at such times and places, take testimony, receive evidence, and administer oaths.

''(g) CONTRACTING.—The Committee, may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Committee to discharge its duties under this section.

''(h) INFORMATION FROM FEDERAL AGENCIES.—

''(1) IN GENERAL.—The Committee is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of the Committee. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chair, the Chair of any subcommittee created by a majority of the Committee, or any member designated by a majority of the Committee.

''(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information may only be received, handled, stored, and disseminated by members of the Committee and its staff consistent with all applicable statutes, regulations, and Executive orders.

''(i) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from the Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

''(j) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies.

''(k) EXPERT AND CONSULTANT SERVICES.—The Committee is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily rate paid a person occupying a position at Level IV of the Executive Schedule under section 5315 of title 5.

''(l) REPORTS.—

''(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

''(2) ANNUAL REPORTS.—Not later than 18 months after the date of the enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a final report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

''§ 3616. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to sections 3607 through this section.

''(b) ADDITIONAL DEFINITIONS.—In sections 3607 through this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) AUTHORIZATION PACKAGE.—The term 'authorization package'—

''(A) means the essential information used to determine whether to authorize the operation of an information system or the use of a designated set of common controls; and

''(B) at a minimum, includes the information system security plan, privacy plan, security control assessment, privacy control assessment, and any relevant plans of action and milestones.

''(3) CLOUD COMPUTING.—The term 'cloud computing' has the meaning given that term by the National Institutes of Standards and Technology in NIST Special Publication 800–145 and any amendatory or superseding document thereto.

''(4) CLOUD SERVICE PROVIDER.—The term 'cloud service provider' means an entity offering cloud computing services to agencies.

''(5) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(6) FEDRAMP.—The term 'FedRAMP' means the Federal Risk and Authorization Management Program established under section 3607(a).

''(7) FEDRAMP AUTHORIZATION.—The term 'FedRAMP authorization' means a cloud computing product or service that has received an agency authorization to operate and has been approved by the FedRAMP Program Management Office to meet requirements and guidelines established by the FedRAMP Program Management Office.

''(8) FEDRAMP PROGRAM MANAGEMENT OFFICE.—The term 'FedRAMP Program Management Office' means the office that administers FedRAMP established under section 3608.

''(9) INDEPENDENT ASSESSMENT ORGANIZATION.—The term 'independent assessment organization' means a third-party organization accredited by the Program Director of the FedRAMP Program Management Office to undertake conformity assessments of cloud service providers.

''(10) JOINT AUTHORIZATION BOARD.—The term 'Joint Authorization Board' means the Joint Authorization Board established under section 3609.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following new items:

''3607. Federal Risk and Authorization Management Program.

''3608. FedRAMP Program Management Office.

''3609. Joint Authorization Board.

''3610. Independent assessment organizations.
''3611. Roles and responsibilities of agencies.
''3612. Roles and responsibilities of the Office of Management and Budget.
''3613. Authorization of appropriations for FEDRAMP.
''3614. Reports to Congress.
''3615. Federal Secure Cloud Advisory Committee.
''3616. Definitions.''.

(3) SUNSET.—This section and any amendment made by this section shall be repealed on the date that is 10 years after the date of the enactment of this section.

(4) RULE OF CONSTRUCTION.—Nothing in this section or any amendment made by this section shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

AMENDMENT NO. 90 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of title XII of division A, add the following:

Subtitle H—Global Health Security Act of 2020

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Global Health Security Act of 2020''.

SEC. 1282. GLOBAL HEALTH SECURITY AGENDA INTERAGENCY REVIEW COUNCIL.

(a) ESTABLISHMENT.—The President shall establish a Global Health Security Agenda Interagency Review Council (in this section referred to as the ''Council'') to perform the general responsibilities described in subsection (c) and the specific roles and responsibilities described in subsection (e).

(b) MEETINGS.—The Council shall meet not less than four times per year to advance its mission and fulfill its responsibilities.

(c) GENERAL RESPONSIBILITIES.—The Council shall be responsible for the following activities:

(1) Provide policy-level recommendations to participating agencies on Global Health Security Agenda (GHSA) goals, objectives, and implementation.

(2) Facilitate interagency, multi-sectoral engagement to carry out GHSA implementation.

(3) Provide a forum for raising and working to resolve interagency disagreements concerning the GHSA.

(4)(A) Review the progress toward and work to resolve challenges in achieving United States commitments under the GHSA, including commitments to assist other countries in achieving the GHSA targets.

(B) The Council shall consider, among other issues, the following:

(i) The status of United States financial commitments to the GHSA in the context of commitments by other donors, and the contributions of partner countries to achieve the GHSA targets.

(ii) The progress toward the milestones outlined in GHSA national plans for those countries where the United States Government has committed to assist in implementing the GHSA and in annual work-plans outlining agency priorities for implementing the GHSA.

(iii) The external evaluations of United States and partner country capabilities to address infectious disease threats, including the ability to achieve the targets outlined within the WHO Joint External Evaluation (JEE) tool, as well as gaps identified by such external evaluations.

(d) PARTICIPATION.—The Council shall consist of representatives, serving at the Assistant Secretary level or higher, from the following agencies:

(1) The Department of State.
(2) The Department of Defense.
(3) The Department of Justice.
(4) The Department of Agriculture.
(5) The Department of Health and Human Services.
(6) The Department of Labor.
(7) The Department of Homeland Security.
(8) The Office of Management and Budget.
(9) The United States Agency for International Development.
(10) The Environmental Protection Agency.
(11) The Centers for Disease Control and Prevention.
(12) The Office of Science and Technology Policy.
(13) The National Institutes of Health.
(14) The National Institute of Allergy and Infectious Diseases.
(15) Such other agencies as the Council determines to be appropriate.

(e) SPECIFIC ROLES AND RESPONSIBILITIES.—

(1) IN GENERAL.—The heads of agencies described in subsection (d) shall—

(A) make the GHSA and its implementation a high priority within their respective agencies, and include GHSA-related activities within their respective agencies' strategic planning and budget processes;

(B) designate a senior-level official to be responsible for the implementation of this subtitle;

(C) designate, in accordance with subsection (d), an appropriate representative at the Assistant Secretary level or higher to participate on the Council;

(D) keep the Council apprised of GHSA-related activities undertaken within their respective agencies;

(E) maintain responsibility for agency-related programmatic functions in coordination with host governments, country teams, and GHSA in-country teams, and in conjunction with other relevant agencies;

(F) coordinate with other agencies that are identified in this section to satisfy programmatic goals, and further facilitate coordination of country teams, implementers, and donors in host countries; and

(G) coordinate across GHSA national plans and with GHSA partners to which the United States is providing assistance.

(2) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities described in paragraph (1), the heads of agencies described in subsection (d) shall carry out their respective roles and responsibilities described in subsections (b) through (i) of section 3 of Executive Order 13747 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats), as in effect on the day before the date of the enactment of this Act.

SEC. 1283. UNITED STATES COORDINATOR FOR GLOBAL HEALTH SECURITY.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that, given the complex and multisectoral nature of global health threats to the United States, the President should consider appointing an individual with significant background and expertise in public health or emergency response management to the position of United States Coordinator for Global Health Security, as required by subsection (b), who is an employee of the National Security Council at the level of Deputy Assistant to the President or higher.

(b) IN GENERAL.—The President shall appoint an individual to the position of United States Coordinator for Global Health Security, who shall be responsible for the coordination of the interagency process for responding to global health security emergencies. As appropriate, the designee shall coordinate with the President's Special Coordinator for International Disaster Assistance.

(c) CONGRESSIONAL BRIEFING.—Not less frequently than twice each year, the employee designated under this section shall provide to the appropriate congressional committees a briefing on the responsibilities and activities of the individual under this section.

SEC. 1284. STRATEGY AND REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that, given the complex and multisectoral nature of global health threats to the United States, the President, in providing assistance to implement the strategy required under subsection (c), should—

(1) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the strategy;

(2) seek to fully utilize the unique capabilities of each relevant Federal department and agency while collaborating with and leveraging the contributions of other key stakeholders; and

(3) utilize open and streamlined solicitations to allow for the participation of a wide range of implementing partners through the most appropriate procurement mechanisms, which may include grants, contracts, cooperative agreements, and other instruments as necessary and appropriate.

(b) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) promote global health security as a core national security interest;

(2) advance the aims of the Global Health Security Agenda;

(3) collaborate with other countries to detect and mitigate outbreaks early to prevent the spread of disease;

(4) encourage other countries to invest in basic resilient and sustainable health care systems; and

(5) strengthen global health security across the intersection of human and animal health to prevent infectious disease outbreaks and combat the growing threat of antimicrobial resistance.

(c) STRATEGY.—The United States Coordinator for Global Health Security (appointed under section 1283(b)) shall coordinate the development and implementation of a strategy to implement the policy aims described in subsection (b), which shall—

(1) set specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans that reflect international best practices relating to transparency, accountability, and global health security;

(2) support and be aligned with country-owned global health security policy and investment plans developed with input from key stakeholders, as appropriate;

(3) facilitate communication and collaboration, as appropriate, among local stakeholders in support of a multi-sectoral approach to global health security;

(4) support the long-term success of programs by building the capacity of local organizations and institutions in target countries and communities;

(5) develop community resilience to infectious disease threats and emergencies;

(6) leverage resources and expertise through partnerships with the private sector, health organizations, civil society, nongovernmental organizations, and health research and academic institutions; and

(7) support collaboration, as appropriate, between United States universities, and public and private institutions in target countries and communities to promote health security and innovation.

(d) COORDINATION.—The President, acting through the United States Coordinator for Global Health Security, shall coordinate,

through a whole-of-government approach, the efforts of relevant Federal departments and agencies in the implementation of the strategy required under subsection (c) by—

(1) establishing monitoring and evaluation systems, coherence, and coordination across relevant Federal departments and agencies; and

(2) establishing platforms for regular consultation and collaboration with key stakeholders and the appropriate congressional committees.

(e) STRATEGY SUBMISSION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees the strategy required under subsection (c) that provides a detailed description of how the United States intends to advance the policy set forth in subsection (b) and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The strategy required under subsection (c) shall include specific implementation plans from each relevant Federal department and agency that describes—

(A) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(B) the efforts of the department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(f) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date on which the strategy required under subsection (c) is submitted to the appropriate congressional committees under subsection (e), and not later than October 1 of each year thereafter, the President shall submit to the appropriate congressional committees a report that describes the status of the implementation of the strategy.

(2) CONTENTS.—The report required under paragraph (1) shall—

(A) identify any substantial changes made in the strategy during the preceding calendar year;

(B) describe the progress made in implementing the strategy;

(C) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(D) contain a transparent, open, and detailed accounting of expenditures by relevant Federal departments and agencies to implement the strategy, including, to the extent practicable, for each Federal department and agency, the statutory source of expenditures, amounts expended, partners, targeted populations, and types of activities supported;

(E) describe how the strategy leverages other United States global health and development assistance programs;

(F) assess efforts to coordinate United States global health security programs, activities, and initiatives with key stakeholders;

(G) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders, including key stakeholders, in an open, transparent manner; and

(H) describe the progress achieved and challenges concerning the United States Government's ability to advance the Global Health Security Agenda across priority countries, including data disaggregated by priority country using indicators that are consistent on a year-to-year basis and recommendations to resolve, mitigate, or otherwise address the challenges identified therein.

(g) FORM.—The strategy required under subsection (c) and the report required under subsection (f) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1285. COMPLIANCE WITH THE FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.

Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) the Global Health Security Act of 2020.''.

SEC. 1286. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) GLOBAL HEALTH SECURITY.—The term ''global health security'' means activities supporting epidemic and pandemic preparedness and capabilities at the country and global levels in order to minimize vulnerability to acute public health events that can endanger the health of populations across geographical regions and international boundaries.

SEC. 1287. SUNSET.

This subtitle, and the amendments made by this subtitle, (other than section 1283) shall cease to be effective on December 31, 2024.

AMENDMENT NO. 91 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle D of title V, add the following new section:

SEC. 5____. AVAILABILITY OF RECORDS FOR NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 101(b) of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40911(b)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1), the following new paragraph (2):

''(2) DEPARTMENT OF DEFENSE.—Not later than three business days after the final disposition of a judicial proceeding conducted within the Department of Defense, the Secretary of Defense shall make available to the Attorney General records which are relevant to a determination of whether a member of the Armed Forces involved in such proceeding is disqualified from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, for use in background checks performed by the National Instant Criminal Background Check System.''.

AMENDMENT NO. 92 OFFERED BY MR. CONNOLLY OF VIRGINIA

Page 565, line 12, insert ''(at any tier)'' after ''subcontractor''.

Page 565, beginning line 12, insert ''(at any tier)'' after ''subgrantee''.

Page 567, line 15, insert ''(at any tier)'' after ''subcontractor''.

Page 567, beginning line 15, insert ''(at any tier)'' after ''subgrantee''.

Page 568, after line 4, insert the following new subsection:

(e) CLARIFICATION OF WHISTLEBLOWER PROTECTION FOR SUBCONTRACTORS AND SUBGRANTEES.—

(1) DEPARTMENT OF DEFENSE CONTRACTORS.—Section 2409 of title 10, United States Code, is amended—

(A) in subsection (a)(2)(G), by striking ''or subcontractor'' and inserting ''subcontractor, grantee, or subgrantee'';

(B) in subsection (b)(1), by striking ''to the person'' and all that follows through the period at the end and inserting ''to—

''(A) the person;

''(B) the contractor, subcontractor, grantee, or subgrantee concerned; and

''(C) the head of the agency.'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''contractor'' and inserting ''contractor, subcontractor, grantee, or subgrantee''; and

(II) in subparagraphs (A), (B), and (C), by striking ''contractor'' and inserting ''contractor, subcontractor, grantee, or subgrantee concerned''; and

(ii) in paragraph (2), by striking ''contractor'' and inserting ''contractor, subcontractor, grantee, or subgrantee (as applicable)'';

(D) in subsection (d), by striking ''and subcontractors'' and inserting ''subcontractors, grantees, and subgrantees''; and

(E) in subsection (g), by adding at the end the following new paragraphs:

''(8) The term 'subgrantee' includes a subgrantee at any tier.

''(9) The term 'subcontractor' includes a subcontractor at any tier.''.

(2) OTHER GOVERNMENT CONTRACTORS.—Section 4712 of title 41, United States Code, is amended—

(A) in subsection (a)(2)(G), by striking ''or grantee'' and inserting ''grantee, or subgrantee'';

(B) in subsection (b)(1), by striking ''to the person'' and all that follows through the period at the end and inserting ''to—

''(A) the person;

''(B) the contractor, subcontractor, grantee, or subgrantee concerned; and

''(C) the head of the agency.'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''contractor or grantee'' and inserting ''contractor, subcontractor, grantee, or subgrantee''; and

(II) in subparagraphs (A), (B), and (C), by striking ''contractor or grantee'' and inserting ''contractor, subcontractor, grantee, or subgrantee concerned''; and

(ii) in paragraph (2), by striking ''contractor or grantee'' and inserting ''contractor, subcontractor, grantee, or subgrantee (as applicable)'';

(D) in subsection (d), by striking ''and grantees'' and inserting ''grantees, and subgrantees''; and

(E) in subsection (g), by adding at the end the following new paragraphs:

''(3) The term 'subgrantee' includes a subgrantee at any tier.

''(4) The term 'subcontractor' includes a subcontractor at any tier.''.

AMENDMENT NO. 93 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle A of title XI, add the following:

SEC. 1111. TELEWORK TRAVEL EXPENSES PROGRAM OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

(a) IN GENERAL.—Section 5711 of title 5, United States Code, is amended—

(1) in the section heading, by striking ''**test**'';

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''committee'' and inserting ''committees''; and

(ii) in subparagraph (B), by striking ''Government'';

(B) in paragraph (2)—

(i) by striking ''test''; and

(ii) by striking ''section, including the provision of reports in accordance with subsection (d)(1)'' and inserting ''subsection'';

(C) in paragraph (4)(B), in the matter preceding clause (i), by inserting ''and maintain'' after ''develop''; and

(D) in paragraph (5)—

(i) in subparagraph (A), by striking ''test''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) The Director of the Patent and Trademark Office shall prepare and submit to the appropriate committees of Congress an annual report on the operation of the program under this subsection, which shall include—

''(i) the costs and benefits of the program; and

''(ii) an analysis of the effectiveness of the program, as determined under criteria developed by the Director.''; and

(3) in subsection (g), by striking ''this section'' and inserting ''subsection (b)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for subchapter I of chapter 57 of title 5, United States Code, is amended by striking the item relating to section 5711 and inserting the following:

''5711. Authority for telework travel expenses programs.''.

AMENDMENT NO. 94 OFFERED BY MR. COOPER OF TENNESSEE

At the end of subtitle E of title XVII, insert the following:

SEC. 17___. TAXPAYERS RIGHT-TO-KNOW ACT.

(a) SHORT TITLE.—This section may be cited as the ''Taxpayers Right-To-Know Act''.

(b) 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.''.

(c) GUIDANCE, IMPLEMENTATION, REPORTING, AND REVIEW.—

(1) DEFINITIONS.—In this subsection—

(A) 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;

(B) the term ''Director'' means the Director of the Office of Management and Budget;

(C) the term ''program'' has the meaning given that term in section 1122(a)(1) of title 31, United States Code, as amended by subsection (b) of this section;

(D) the term ''program activity'' has the meaning given that term in section 1115(h) of title 31, United States Code; and

(E) the term ''Secretary'' means the Secretary of the Treasury.

(2) 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—

(A) includes a plan that—

(i) 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 subsection (b), will leverage existing data sources while avoiding duplicative or overlapping information in presenting information relating to program activities and programs;

(ii) indicates how any gaps in data will be assessed and addressed;

(iii) indicates how the Director will display such data; and

(iv) discusses how the Director will expand the information collected with respect to program activities to incorporate the information required under the amendments made by subsection (b);

(B) sets forth details regarding a pilot program, developed in accordance with best practices for effective pilot programs—

(i) to develop and implement a functional program inventory that could be limited in scope; and

(ii) under which the information required under the amendments made by subsection (b) with respect to program activities shall be made available on the website required under section 1122(a) of title 31, United States Code;

(C) establishes an implementation timeline for—

(i) gathering and building program activity information;

(ii) developing and implementing the pilot program;

(iii) seeking and responding to stakeholder comments;

(iv) developing and presenting findings from the pilot program to the appropriate congressional committees;

(v) notifying the appropriate congressional committees regarding how program activities will be aggregated, disaggregated, or consolidated as part of identifying programs; and

(vi) implementing a Governmentwide program inventory through an iterative approach; and

(D) 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 section.

(3) IMPLEMENTATION.—

(A) 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 subsection (b) with respect to all programs.

(B) 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 subparagraph (A) by not more than a total of 1 year.

(4) REPORTING.—Not later than 2 years after the date on which the Director makes available online all information required under the amendments made by subsection (b) 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 section and the amendments made by this section, which shall—

(A) 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;

(B) evaluate the extent to which the program inventory required under section 1122 of title 31, United States Code, as amended by this section, provides useful information for transparency, decision-making, and oversight;

(C) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in particular areas; and

(D) include the recommendations of the Comptroller General, if any, for improving implementation of this section and the amendments made by this section.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 1122 of title 31, United States Code, is amended—

(A) in subsection (b), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website'' each place it appears;

(B) in subsection (c), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website''; and

(C) in subsection (d)—

(i) in the subsection heading, by striking ''ON WEBSITE''; and

(ii) in the first sentence, by striking ''on the website''.

(2) OTHER AMENDMENTS.—

(A) 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''.

(B) Section 10 of the GPRA Modernization Act of 2010 (31 U.S.C. 1115 note) is amended—

(i) in subsection (a)(3), by striking ''the website described under'' and inserting ''a website described in''; and

(ii) 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''.

(C) Section 1120(a)(5) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

(D) 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''.

(E) Section 3512(a)(1) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

AMENDMENT NO. 95 OFFERED BY MR. CORREA OF CALIFORNIA

At the end of subtitle B of title V, add the following new section:

SEC. 5___. STUDY AND REPORT ON ROTC RECRUITMENT.

(a) STUDY.—The Secretary of Defense shall conduct a study that assesses—

(1) the efforts of the Department of Defense to recruit individuals to serve in the Junior Reserve Officers' Training Corps and the Senior Reserve Officers' Training Corps over the period of 10 years preceding the date of the study;

(2) whether members of the Armed Forces who served in the Junior Reserve Officers' Training Corps are more or less likely than members who served in the Senior Reserve Officers' Training Corps to achieve or receive recommendations for higher ranks;

(3) whether there is a correlation between race or ethnicity and the rank ultimately achieved by such members; and

(4) the feasibility of establishing a program to create a pathway for minorities into higher ranks within the military.

(b) REPORT.—Not later than December 31, 2022, the Secretary of Defense shall submit to the congressional defense committee a report on the results of the study conducted under subsection (a).

AMENDMENT NO. 96 OFFERED BY MR. CORREA OF CALIFORNIA

At the end of subtitle F of title V, insert the following:

SEC. 5___. STUDY REGARDING VA PARTICIPATION IN TAP.

Not later than December 31, 2022, the Secretaries of Defense and Veterans Affairs shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the results of a study on the feasibility of having representatives of the Department of Veterans Affairs present during counseling sessions under sections 1142 of title 10, United States Code, to set up premium eBenefits accounts of the Department of Veterans Affairs for members of the Armed Forces participating in the Transition Assistance Program.

AMENDMENT NO. 97 OFFERED BY MR. COX OF CALIFORNIA

At the end of subtitle A of title XVII, insert the following:

SEC. 17___. DEPARTMENT OF VETERANS AFFAIRS REPORT ON UNCLAIMED PROPERTY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the unclaimed property in the possession of the Department of Veterans Affairs.

(b) REVIEW OF REPORT.—The Comptroller General of the United States shall conduct a review of the report submitted under subsection (a).

(c) UNCLAIMED PROPERTY DEFINED.—The term ''unclaimed property'' includes any intangible personal property, including money, liquidated obligations, choses in action, accounts, entrusted funds, deposits, evidences of debt or instruments held by any Federal agency, officer or employee thereof (except bonuses, gratuities, and sums held by the Social Security Administration), which has remained unclaimed by the owner.

AMENDMENT NO. 98 OFFERED BY MR. COX OF CALIFORNIA

At the appropriate place in title V of the bill, insert the following:

SEC. 5___. REPORT REGARDING TRANSPORTATION OF REMAINS OF CERTAIN DECEDENTS BY THE SECRETARY OF A MILITARY DEPARTMENT.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to Congress regarding the transportation of the remains of decedents under the jurisdiction of the Secretary of a military department pursuant to section 1481 of title 10, United States Code.

(b) ELEMENTS.—The report under this section shall include the following:

(1) Whether the Secretary of Defense maintains of a list or database of airports that accept remains of decedents.

(2) How information in the list or database described in paragraph (1) is transmitted to casualty assistance call officers.

(3) Regulations and guidance prescribed by the Secretary of Defense or Secretaries of the military departments regarding transportation of the remains of decedents.

(4) Any changes made during 2020 to regulations or guidance described in paragraph (3) by the Secretary of the Navy.

(5) Recommendations of the Secretary of Defense to improve regulations or guidance described in paragraph (3).

AMENDMENT NO. 99 OFFERED BY MR. COX OF CALIFORNIA

At the appropriate place in title VII, insert the following new section:

SEC. 7___. REPORT ON COST OF EXTENDING TRICARE COVERAGE TO INDIVIDUALS PARTICIPATING IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an analysis of the cost of providing coverage and health care benefits under the TRICARE program to each individual currently participating in a health professions scholarship and financial assistance program established pursuant to section 2121 of title 10, United States Code.

AMENDMENT NO. 100 OFFERED BY MRS. CRAIG OF MINNESOTA

At the end of subtitle A of title III, insert the following:

SEC. 3___. FUNDING FOR ARMY COMMUNITY SERVICES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance for Army base operations support, line 100, as specified in the corresponding funding table in section 4301, for Army Community Services is hereby increased by $30,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, for Army Force Readiness Operations Support, line 070, as specified in the corresponding funding table in section 4301, is hereby reduced by $15,000,000.

(c) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D,

the amount authorized to be appropriated in section 301 for operation and maintenance, for Army Land Forces Operations Support, as specified in the corresponding funding table in section 4301, line 050, is hereby reduced by $15,000,000.

AMENDMENT NO. 101 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of subtitle J of title V, add the following new section:

SEC. 596. POSTPONEMENT OF CONDITIONAL DESIGNATION OF EXPLOSIVE ORDNANCE DISPOSAL CORPS AS A BASIC BRANCH OF THE ARMY.

Section 582(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 763 note) is amended—

(1) in paragraph (1), by striking ''October 1, 2020'' and inserting ''October 1, 2025''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''September 30, 2020'' and inserting ''September 30, 2025'';

(B) in subparagraph (B), by inserting '', the explosive ordnance disposal commandant (chief of explosive ordnance disposal),'' before ''qualified''; and

(C) by adding at the end the following new subparagraph:

''(G) The explosive ordnance disposal commandant (chief of explosive ordnance disposal) has ensured that explosive ordnance disposal soldiers have the mobility skills necessary to support special operations forces (as identified in section 167(j) of title 10, United States Code). Such skills include airborne, air assault, combat diver, fast roping insertion and extraction, helocasting, military free-fall, and off-road driving.''.

AMENDMENT NO. 102 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the appropriate place in title X, insert the following:

SEC. 10___. INCLUSION OF EXPLOSIVE ORDNANCE DISPOSAL IN SPECIAL OPERATIONS ACTIVITIES.

Section 167(k) of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

''(10) Explosive ordnance disposal.''.

AMENDMENT NO. 103 OFFERED BY MR. CRAWFORD OF ARKANSAS

Page 261, line 11, strike ''and acquisition'' and insert ''acquisition, and sustainment''.

Page 261, line 16, strike ''and''.

Page 261, line 20, insert ''and'' after the semicolon.

Page 261, after line 20, insert the following:

''(E) the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense programs on explosive ordnance disposal for combating weapons of mass destruction;''.

AMENDMENT NO. 104 OFFERED BY MR. CRAWFORD OF ARKANSAS

Page 1014, line 12, after the period insert the following: ''In carrying out the study, the federally funded research and development corporation shall solicit input from relevant nonprofit organizations, such as the National Defense Industrial Association EOD Committee, United States Army EOD Association, United States Bomb Technician Association and the EOD Warrior Foundation.''

AMENDMENT NO. 105 OFFERED BY MR. CRENSHAW OF TEXAS

At the end of subtitle C of title IX, add the following new section:

SEC. 9___. RANK AND GRADE STRUCTURE OF THE UNITED STATES SPACE FORCE.

The Space Force shall use a system of ranks and grades that is identical to the system of ranks and grades used by the Navy.

AMENDMENT NO. 106 OFFERED BY MR. CRIST OF FLORIDA

At the end of subtitle A of title XVI, add the following new section:

SEC. 16___. REPORT ON EFFECT OF COVID–19 ON SPACE INDUSTRIAL BASE AND SPACE PROGRAMS OF DEPARTMENT OF DEFENSE.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the current and projected effects of COVID–19 on the space industrial base and the space programs of Department of Defense. The report shall include an assessment of each of the following:

(1) COVID–19 related and associated impacts to cost, timeline, and performance to the space industrial base and the space programs of Department, including with respect to—

(A) procurement and acquisition;

(B) research, development, test, and evaluation;

(D) partnerships with non-Federal governmental entities, such as universities and not-for-profit organizations; and

(E) labor force disruptions;

(2) Regional and sector-specific disruptions and concerns.

(3) Current mitigation strategies by both the Federal Government and industry.

(4) Any supplemental disaster appropriations requirements to mitigate impacts to such programs.

(5) Recommendations to address risks and threats to the Federal Government and industry relating to such impacts.

AMENDMENT NO. 107 OFFERED BY MR. CRIST OF FLORIDA

At the end of subtitle D of title VII, add the following new section:

SEC. 7___. REPORT ON HEALTH CARE RECORDS OF DEPENDENTS WHO LATER SEEK TO SERVE AS A MEMBER OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the use by the military departments of health care records of individuals who are dependents or former dependents of members of the Armed Forces with respect to that individual later serving or seeking to serve as a member of the Armed Forces. The report shall include the following:

(1) A description of the policy of the Department of Defense and each military department with respect to combining the juvenile medical records of such an individual with the military medical records of that individual who serves as a member of the Armed Forces.

(2) The total number of cases where such juvenile medical records were so combined with the military medical records of the individual.

(3) The total number of cases where an individual was either discharged, or was prevented from joining the Armed Forces, because of the juvenile medical records of the individual from when the individual was a dependent of a member of the Armed Forces.

(4) The total number of cases where an individual was granted a waiver preventing a discharge or being denied from joining the Armed Forces as described in paragraph (3).

(5) Any actions the Secretary of Defense or a Secretary of a military department has taken or plans to take to prevent a discharge or being denied from joining the Armed Forces as described in paragraph (3).

AMENDMENT NO. 108 OFFERED BY MR. CRIST OF FLORIDA

At the end of subtitle F of title V, insert the following:

SEC. 5___. GAO STUDY REGARDING TRANSFERABILITY OF MILITARY CERTIFICATIONS TO CIVILIAN OCCUPATIONAL LICENSES AND CERTIFICATIONS.

(a) STUDY; REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the results of a study regarding the transferability of military certifications to civilian occupational licenses and certifications.

(b) ELEMENTS.—The report under this section shall include the following:

(1) Obstacles to transference of military certifications.

(2) Any effects of the transferability of military certifications on recruitment and retention.

(3) Examples of certifications obtained from the Federal Government that transfer to non-Federal employment.

AMENDMENT NO. 109 OFFERED BY MR. CROW OF COLORADO

Page 1088, beginning line 25, strike ''the People's'' and all that follows through ''Federation'' and insert ''China, Russia, Iran, and North Korea''.

Page 1089, line 15, strike ''with the'' and insert ''with the Director of National Intelligence and the''.

Page 1090, line 14, strike ''China and Russia'' and insert ''China, Russia, Iran, and North Korea''.

Page 1090, line 16, strike ''China and Russia'' and insert ''China, Russia, Iran, and North Korea''.

Page 1091, strike lines 5 through 10 and insert the following:

(E) the Permanent Select Committee on Intelligence of the House of Representatives;

(F) the Committee on Armed Services of the Senate;

(G) the Committee on Foreign Relations of the Senate;

(H) the Committee on Commerce, Science, and Transportation of the Senate; and

(I) the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 110 OFFERED BY MR. CROW OF COLORADO

At the end of subtitle E of title III, insert the following:

SEC. 3___. CLARIFICATION OF NATIONAL BIODEFENSE STRATEGY.

(a) IN GENERAL.—The Secretary of Health and Human Services, in cooperation with the Biodefense Steering Committee, shall clarify the national biodefense strategy and associated implementation plan developed under section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104) to clearly document agreed-upon processes, roles, and responsibilities for making and enforcing enterprise-wide decisions.

(b) SPECIFIC CLARIFICATIONS.—In carrying out subsection (a), the Secretary of Health and Human Services shall work with the head of each agency participating in the Biodefense Steering Committee, including the Administrator of the Federal Emergency Management Agency, to—

(1) enter into a memorandum of understanding, or take such other action as is necessary, to describe the roles and responsibilities of the Federal departments and agencies, including internal and external coordination procedures, in identifying and sharing information, as described in section 1086(b)(4) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104(b)(4));

(2) clarify roles, responsibilities, and processes for decisionmaking that involves shifting resources across agency boundaries to more effectively or efficiently address enterprise-wide risk;

(3) prepare an inventory and assessment of all existing strategies, plans, policies, laws, and interagency agreements with respect to biodefense;

(4) establish a resource plan to staff, support, and sustain the efforts of the Biodefense Coordination Team;

(5) clearly document guidance and methods for analyzing the data collected from agencies to include non-Federal resources and capabilities; and

(6) not later than 90 days after the date of enactment of this Act, report to the appropriate congressional committees on possible implementation strategies, that will effectively and efficiently enhance information-sharing activities on biosurveillance data integration as identified in the national biodefense strategy and associated implementation plan described in subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committees on Armed Services of the House of Representatives and the Senate.

(2) The Committees on Appropriations of the House of Representatives and the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(4) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(5) The Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 3___. REPORT ON BIODEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(1) a description of the roles and responsibilities of Department of Defense entities with responsibility for biodefense or pandemic preparedness and response, including logistical support;

(2) an updated Department of Defense implementation plan for biodefense and pandemic response operations that includes a separation of activities conducted under title 10, United States Code, and activities conducted under title 32, United States Code; and

(3) recommendations for solving gaps in authorities or organizational structures that have inhibited COVID-19 response efforts.

AMENDMENT NO. 111 OFFERED BY MR. CUELLAR OF TEXAS

At the end of subtitle F of title V, insert the following:

SEC. 5___. TRANSITION OUTREACH.

The Secretary of Defense, in coordination with the Secretaries of Veterans Affairs and Labor, shall encourage contact between members of the Armed Forces participating in the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code, and local communities, to promote employment opportunities for such members. Such contact shall include, to the extent practicable, public-private partnerships.

AMENDMENT NO. 112 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA

At the end of subtitle B of title V, add the following:

SEC. 5___. 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.

AMENDMENT NO. 113 OFFERED BY MR. CURTIS OF UTAH

At the end of subtitle G of title XII, add the following:

SEC. __. AMENDMENTS TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

The Foreign Assistance Act of 1961 is amended as follows:

(1) In section 116 (22 U.S.C. 2151n), by adding at the end the following:

''(h) STATUS OF EXCESSIVE SURVEILLANCE AND USE OF ADVANCED TECHNOLOGY.—

''(1) IN GENERAL.—The report required by subsection (d) shall include, wherever applicable, a description of the status of surveillance and use of advanced technology to impose arbitrary or unlawful interference with privacy, or unlawful or unnecessary restrictions on freedoms of expression, peaceful assembly, association, or other internationally recognized human rights in each country, including—

''(A) whether the government of such country has adopted and is enforcing laws, regulations, policies, or practices relating to—

''(i) government surveillance or censorship, including through facial recognition, biometric data collection, internet and social media controls, sensors, spyware data analytics, non-cooperative location tracking, recording devices, or other similar advanced technologies, and any allegations or reports that this surveillance or censorship was unreasonable;

''(ii) searches or seizures of individual or private institution data without independent judicial authorization or oversight; and

''(iii) surveillance of any group based on political views, religious beliefs, ethnicity, or other protected category, in violation of equal protection rights;

''(B) whether such country has imported or unlawfully obtained biometric or facial recognition data from other countries or entities and, if applicable, from whom; and

''(C) whether the government agency end-user has targeted individuals, including through the use of technology, in retaliation for the exercise of their human rights or on discriminatory grounds prohibited by international law, including targeting journalists or members of minority groups.

''(2) DEFINITION.—In this subsection, the term 'internet and social media controls' means the arbitrary or unlawful imposition of restrictions, by state or service providers, on internet and digital information and communication, such as through the blocking or filtering of websites, social media platforms, and communication applications, the deletion of content and social media posts, or the penalization of online speech, in a manner that violates rights to free expression or assembly.''.

(2) In section 502B(b) (22 U.S.C. 2304(b))—

(A) by redesignating the second subsection (i) (as added by section 1207(b)(2) of Public Law 113–4) as subsection (j); and

(B) by adding at the end the following:

''(k) STATUS OF EXCESSIVE SURVEILLANCE AND USE OF ADVANCED TECHNOLOGY.—The report required under subsection (b) shall include, wherever applicable, a description of the status of excessive surveillance and use of advanced technology to restrict human rights, including the descriptions of such policies or practices required under section 116(h).''.

AMENDMENT NO. 114 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

At the end of subtitle E of title XVII, add the following new section:

SEC. 17___. BUILDING UNITED STATES CAPACITY FOR VERIFICATION AND MANUFACTURING OF ADVANCED MICROELECTRONICS.

(a) IN GENERAL.—The Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, shall carry out research and development 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 design, development, and manufacturability of next generation microelectronics and ensure the competitiveness and leadership of the United States within the microelectronics sector.

(b) ELEMENTS.—The activities under subsection (a) shall include research and development in the following areas:

(1) Advanced metrology and characterization for manufacturing of microchips using 3 nanometer transistor processes or more advanced processes.

(2) Metrology for security and supply chain verification, including pre-silicon security verification of the design for logical and physical vulnerabilities beyond current functional analysis.

AMENDMENT NO. 115 OFFERED BY MRS. SUSAN DAVIS OF CALIFORNIA

Add at the end of subtitle D of title XVI the following new section:

SEC. 1644. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO UPDATES ON MEETINGS HELD BY NUCLEAR WEAPONS COUNCIL.

Section 179(g) of title 10, United States Code, is amended to read as follows:

''(g) SEMIANNUAL UPDATES ON COUNCIL MEETINGS.—(1) Not later than February 1 and August 1 of each year, the Council shall provide to the congressional defense committees a semiannual update including, with respect to the six-month period preceding the update—

''(A) the dates on which the Council met; and

''(B) except as provided by paragraph (2), a summary of any decisions made by the Council pursuant to subsection (d) at each such meeting and the rationale for and options that informed such decisions.

''(2) The Council shall not be required to include in a semiannual update under paragraph (1) the matters described in subparagraph (B) of that paragraph with respect to decisions of the Council relating to the budget of the President for a fiscal year if the budget for that fiscal year has not been submitted to Congress under section 1105 of title 31 as of the date of the semiannual update.

''(3) The Council may provide a semiannual update under paragraph (1) either in the form of a briefing or a written report.

''(4)(A) If by February 1 of any year the Council has not provided the semiannual update under paragraph (1) required by that

date, not more than 50 percent of the funds authorized to be appropriated for that year for the Office of the Under Secretary of Defense for Acquisition and Sustainment may be obligated or expended until the date on which such semiannual update has been provided.

''(B) If by August 1 of any year the Council has not provided the semiannual update under paragraph (1) required by that date, not more than 90 percent of the funds authorized to be appropriated for that year for the Office of the Under Secretary of Defense for Acquisition and Sustainment may be obligated or expended until the date on which such semiannual update has been provided.''.

AMENDMENT NO. 116 OFFERED BY MR. DEFAZIO OF OREGON

At the end of subtitle A of title XXXV, add the following:

SEC. ___. MARITIME TRANSPORTATION SYSTEM EMERGENCY RELIEF PROGRAM.

(a) IN GENERAL.—Chapter 503 of title 46, United States Code, is amended by adding at the end the following:

''§ 50308. Maritime transportation system emergency relief program

''(a) DEFINITIONS.—In this section the following definitions shall apply:

''(1) ELIGIBLE STATE ENTITY.—The term 'eligible State entity' means a port authority, or a State-owned or -operated vessel and facilities associated with the operation of such vessel, in any State.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a public or private entity that is created or organized in the United States or under the laws of the United States, with significant operations in and a majority of its employees based in the United States, that is engaged in—

''(A) vessel construction, transportation by water, or support activities for transportation by water with an assigned North American Industry Classification System code beginning with 3366, 483, or 4883; or

''(B) as determined by the Secretary of Transportation—

''(i) construction related to activities described in subparagraph (A); or

''(ii) maritime education and training.

''(3) ELIGIBLE OPERATING COSTS.—The term 'eligible operating costs' means costs relating to—

''(A) emergency response;

''(B) cleaning;

''(C) sanitization;

''(D) janitorial services;

''(E) staffing;

''(F) workforce retention;

''(G) paid leave;

''(H) procurement and use of protective health equipment, testing, and training for employees and contractors;

''(I) debt service payments;

''(J) infrastructure repair projects; and

''(K) other maritime transportation system operations;

''(4) EMERGENCY.—The term 'emergency' means a natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, that impacts the United States maritime transportation system and as a result of which—

''(A) the Governor of a State has declared an emergency and the Maritime Administrator, in consultation with the Administrator of the Federal Emergency Management Administration, has concurred in the declaration;

''(B) the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

''(C) national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) is in effect; or

''(D) a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) is in effect.

''(b) GENERAL AUTHORITY.—The Maritime Administrator may—

''(1) make grants to eligible State entities for eligible operating costs; and

''(2) make grants and enter into contracts and other agreements with eligible entities for—

''(A) the costs of capital projects to protect, repair, reconstruct, or replace equipment and facilities of the United States maritime transportation system that the Maritime Administrator determines is in danger of suffering serious physical damage, or has suffered serious physical damage, as a result of an emergency; and

''(B) eligible operating costs of United States maritime transportation equipment and facilities in an area directly affected by an emergency during—

''(i) the 1-year period beginning on the date of a declaration described in subsections (a)(4)(A) and (a)(4)(B); and

''(ii) an additional 1-year period beginning 1 year after the date of a declaration described in subsections (a)(4)(A) and (a)(4)(B), if the Maritime Administrator, in consultation with the Administrator of the Federal Emergency Management Administration, determines there is a compelling need arising out of the emergency for which the declaration is made.

''(c) ALLOCATION.—The Maritime Administrator shall determine an appropriate method for the equitable allocation and distribution of funds under this section to eligible State entities and eligible entities.

''(d) APPLICATIONS.—An applicant for assistance under this section shall submit an application for such assistance to the Maritime Administrator at such time, in such manner, and containing such information and assurances as the Maritime Administrator may require

''(e) COORDINATION OF EMERGENCY FUNDS.—

''(1) USE OF FUNDS.—Funds appropriated to carry out this section shall be in addition to any other funds available under this chapter.

''(2) NO EFFECT ON OTHER GOVERNMENT ACTIVITY.—The provision of funds under this section shall not affect the ability of any other agency of the Government, including the Federal Emergency Management Agency, or a State agency, a local governmental entity, organization, or person, to provide any other funds otherwise authorized by law.

''(f) GRANT REQUIREMENTS.—A grant awarded under this section that is made to address an emergency defined under subsection (a)(4)(B) shall be—

''(1) subject to the terms and conditions the Maritime Administrator determines are necessary; and

''(2) made only for expenses that are not reimbursed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or any Federal, State, or local assistance program.

''(g) FEDERAL SHARE OF COSTS.—The Federal share payable of the costs for which a grant is made under this section shall be 100 percent.

''(h) ADMINISTRATIVE COSTS.—Of the amounts available to carry out this section, not more than one-half of one percent may be used for administration of this section.

''(i) QUALITY ASSURANCE.—The Maritime Administrator shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for the distribution of funds under this section.

''(j) REPORTS.—The Maritime Administrator shall annually report to the Congress regarding financial assistance provided under this section, including a description of such assistance.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''50308. Port development; maritime transportation system emergency relief program.''.

(c) INCLUSION OF COVID-19 PANDEMIC PUBLIC HEALTH EMERGENCY.—For purposes of section 50308 of title 46, United States Code, as amended by subsection (a), the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) resulting from the COVID-19 pandemic shall be treated as an emergency.

SEC. ___. CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE TRAINING AND EDUCATION: TECHNICAL AMENDMENTS.

(a) REDESIGNATION AND TRANSFER OF SECTION.—Section 54102 of title 46, United States Code, is redesignated as section 51706 of such title and transferred to appear after section 51705 of such title.

(b) CLERICAL AMENDMENTS.—Title 46, United States Code, is amended—

(1) in the analysis for chapter 541, by striking the item relating to section 54102; and

(2) in the analysis for chapter 517, by striking the item relating to section 51705 and inserting the following:

''51705. Training for use of force against piracy.

''51706. Center of excellence for domestic maritime workforce training and education''.

SEC. ___. MERCHANT MARINER EDUCATION LOAN PROGRAM.

(a) IN GENERAL.—Chapter 517 of title 46, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 51707. Merchant mariner career training loan program

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish the Elijah E. Cummings Merchant Mariner Career Training Loan Program (in this section referred to as the 'program') in accordance with the requirements of this section.

''(b) PURPOSE.—The purpose of the program shall be to make merchant mariner career training loans available to eligible students to provide for the training of United States merchant mariners, including those working to receive a Standards of Training, Certification and Watchkeeping endorsement under subchapter B of chapter I of title 46, Code of Federal Regulations.

''(c) ADMINISTRATION.—The program shall be carried out by the Secretary, acting through the Administrator of the Maritime Administration.

''(d) DUTIES.—The Secretary shall—

''(1) allocate, on an annual basis, the award of loans under the program based on the needs of students;

''(2) develop an application process and eligibility criteria for the award of loans under the program;

''(3) approve applications for loans under the program based on the eligibility criteria and allocations made under paragraph (1); and

''(4) designate maritime training institutions at which loans made under the program may be used.

''(e) DESIGNATION OF MARITIME TRAINING INSTITUTIONS.—

''(1) IN GENERAL.—In designating maritime training institutions under subsection (d)(4), the Secretary—

''(A) may include Federal, State, and commercial training institutions and nonprofit training organizations, including centers of excellence designated under section 51706;

''(B) shall designate institutions based on geographic diversity and scope of classes offered;

''(C) shall ensure that designated institutions have the ability to administer the program; and

''(D) shall ensure that designated institutions meet requirements to provide training instruction for appropriate Coast Guard-approved training instruction.

''(2) EXCLUSIONS.—The Secretary—

''(A) may exclude from participation in the program a maritime training institution that has had severe performance deficiencies, including deficiencies demonstrated by audits or program reviews conducted during the 5 calendar years immediately preceding the present year;

''(B) shall exclude from participation in the program a maritime training institution that has delinquent or outstanding debts to the United States, unless such debts are being repaid under or in accordance with a repayment arrangement satisfactory to the United States, or the Secretary in the Secretary's discretion determines that the existence or amount of any such debts has not been finally determined by the appropriate Federal agency;

''(C) may exclude from participation in the program a maritime training institution that has failed to comply with quality standards established by the Department of Labor, the Coast Guard, or a State; and

''(D) may establish such other criteria as the Secretary determines will protect the financial interest of the United States and promote the purposes of this section.

''(f) STATE MARITIME ACADEMIES.—

''(1) USE OF FUNDS FOR LOANS TO STUDENTS ATTENDING STATE MARITIME ACADEMIES.—The Secretary may obligate not more than 50 percent of the amounts appropriated to carry out this section for a fiscal year for loans to undergraduate students attending State maritime academies receiving assistance under chapter 515 of this title.

''(2) ACADEMIC STANDARDS FOR STUDENTS.—Students at State maritime academies receiving loans under the program shall maintain satisfactory progress toward the completion of their course of study as evidenced by the maintenance of a cumulative C average, or its equivalent, or academic standing consistent with the requirements for graduation, as determined by the institution.

''(g) LOAN AMOUNTS AND USE.—

''(1) MAXIMUM AMOUNTS.—

''(A) IN GENERAL.—The Secretary may not make loans to a student under the program in an amount that exceeds $30,000 in a calendar year or $120,000 in the aggregate.

''(B) ADJUSTMENT FOR INFLATION.—The Secretary shall, every 5 years for the life of a loan under the program, adjust the maximum amounts described in subparagraph (A) in accordance with any change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor that occurs since the previous adjustment.

''(2) USE OF LOAN PROCEEDS.—A student who receives a loan under the program may use the proceeds of the loan only for postsecondary expenses incurred at an institution designated by the Secretary under subsection (d)(4) for books, tuition, required fees, travel to and from training facilities, and room and board.

''(h) STUDENT ELIGIBILITY.—

''(1) IN GENERAL.—Subject to paragraph (2), to be eligible to receive a loan under the program, a student shall—

''(A) be eligible to hold a license or merchant mariner document issued by the Coast Guard;

''(B) provide to the Secretary such information as the Secretary may require, including all current Coast Guard documents, certifications, proof of United States citizenship or permanent legal status, and a statement of intent to enter a maritime career;

''(C) meet the enrollment requirements of a maritime training institution designated by the Secretary under subsection (d)(4); and

''(D) sign an agreement to—

''(i) complete a course of instruction at such a maritime training institution; and

''(ii) maintain a license or document and work under the authority of the license or document and any associated endorsements for at least 18 months following the date of graduation from the maritime program for which the loan proceeds will be used.

''(2) LIMITATION.—An undergraduate student at the United States Merchant Marine Academy shall not be eligible for a loan under the program.

''(i) ADMINISTRATION OF LOANS.—

''(1) CONTENTS OF LOAN AGREEMENTS.—Any agreement between the Secretary and a student borrower for a loan under the program shall—

''(A) be evidenced by a note or other written instrument that provides for the repayment of the principal amount of the loan and any origination fee, together with interest thereon, in equal installments (or, if the student borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Secretary) payable quarterly, bimonthly, or monthly, at the option of the student borrower, over a period beginning 9 months from the date on which the student borrower completes study or discontinues attendance at the maritime program for which the loans are used at the institution approved by the Secretary and not exceeding 10 years;

''(B) include provision for acceleration of repayment of the whole, or any part, of such loan, at the option of the student borrower;

''(C) provide the loan without security and without endorsement;

''(D) provide that the liability to repay the loan shall be canceled upon the death of the student borrower, or if the student borrower becomes permanently and totally disabled, as determined in accordance with regulations to be issued by the Secretary;

''(E) contain a notice of the system of disclosure of information concerning default on such loan to credit bureau organizations; and

''(F) include provisions for deferral of repayment, as determined by the Secretary.

''(2) RATE OF INTEREST.—A student borrower who receives a loan under the program shall be obligated to repay the loan amount to the Secretary, together with interest beginning in the period referred to in paragraph (1)(A), at a rate of interest determined by the Secretary, in consultation with the Secretary of Education, in accordance with section 455 of the Higher Education Act of 1965 (20 U.S.C. 1087e).

''(3) DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.—

''(A) IN GENERAL.—The Secretary shall at or prior to the time the Secretary makes a loan to a student borrower under the program, provide thorough and adequate loan information on such loan to the student borrower. The disclosures required by this paragraph may be made as part of the written application material provided to the student borrower, as part of the promissory note evidencing the loan, or on a separate written form provided to the student borrower.

''(B) CONTENTS.—The disclosures shall include—

''(i) the address to which communications and payments should be sent;

''(ii) the principal amount of the loan;

''(iii) the amount of any charges collected at or prior to the disbursal of the loan and whether such charges are to be deducted from the proceeds of the loan or paid separately by the student borrower;

''(iv) the stated interest rate on the loan;

''(v) the yearly and cumulative maximum amounts that may be borrowed;

''(vi) an explanation of when repayment of the loan will be required and when the student borrower will be obligated to pay interest that accrues on the loan;

''(vii) a statement as to the minimum and maximum repayment term that the Secretary may impose, and the minimum monthly payment required by law and a description of any penalty imposed as a consequence of default, such as liability for expenses reasonably incurred in attempts by the Secretary to collect on a loan;

''(viii) a statement of the total cumulative balance, including the loan applied for, owed by the student borrower to the Secretary, and an estimate of the projected monthly payment, given such cumulative balance;

''(ix) an explanation of any special options the student borrower may have for loan consolidation or other refinancing of the loan;

''(x) a statement that the student borrower has the right to prepay all or part of the loan, at any time, without penalty;

''(xi) a statement summarizing circumstances in which repayment of the loan or interest that accrues on the loan may be deferred, and a brief notice of the program for repayment of loans, on the basis of military service, pursuant to the Department of Defense educational loan repayment program (10 U.S.C. 16302);

''(xii) a definition of default and the consequences to the student borrower if the student borrower defaults, together with a statement that the disbursement of, and the default on, a loan under this part shall be reported to a credit bureau or credit reporting agency;

''(xiii) to the extent practicable, the effect of accepting the loan on the eligibility of the student borrower for other forms of student assistance; and

''(xiv) an explanation of any cost the student borrower may incur in the making or collection of the loan.

''(C) INFORMATION TO BE PROVIDED WITHOUT COST.—The information provided under this paragraph shall be available to the Secretary without cost to the student borrower.

''(4) REPAYMENT AFTER DEFAULT.—The Secretary may require any student borrower who has defaulted on a loan made under the program to—

''(A) pay all reasonable collection costs associated with such loan; and

''(B) repay the loan pursuant to an income contingent repayment plan.

''(5) AUTHORIZATION TO REDUCE RATES AND FEES.—Notwithstanding any other provision of this section, the Secretary may prescribe by regulation any reductions in the interest rate or origination fee paid by a student borrower of a loan made under the program as the Secretary determines appropriate to encourage ontime repayment of the loan. Such reductions may be offered only if the Secretary determines the reductions are cost neutral and in the best financial interest of the United States.

''(6) COLLECTION OF REPAYMENTS.—The Secretary shall collect repayments made under the program and exercise due diligence in such collection, including maintenance of all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under the program shall be pursued to the full extent of the law, including wage garnishment if necessary. The Secretary of the Department in which the Coast Guard is operating shall provide the Secretary of Transportation with any information regarding a merchant mariner that

may aid in the collection of repayments under this section.

''(7) REPAYMENT SCHEDULE.—A student borrower who receives a loan under the program shall repay the loan quarterly, bimonthly, or monthly, at the option of the student borrower, over a period beginning 9 months from the date the student borrower completes study or discontinues attendance at the maritime program for which the loan proceeds are used and ending not more than 10 years after the date repayment begins. Provisions for deferral of repayment shall be determined by the Secretary.

''(8) CONTRACTS FOR SERVICING AND COLLECTION OF LOANS.—The Secretary may—

''(A) enter into a contract or other arrangement with State or nonprofit agencies and, on a competitive basis, with collection agencies for servicing and collection of loans under this section; and

''(B) conduct litigation necessary to carry out this section.

''(j) REVOLVING LOAN FUND.—

''(1) ESTABLISHMENT.—The Secretary shall establish a revolving loan fund consisting of amounts deposited in the fund under paragraph (2).

''(2) DEPOSITS.—The Secretary shall deposit in the fund—

''(A) receipts from the payment of principal and interest on loans made under the program; and

''(B) any other monies paid to the Secretary by or on behalf of individuals under the program.

''(3) AVAILABILITY OF AMOUNTS.—Subject to the availability of appropriations, amounts in the fund shall be available to the Secretary—

''(A) to cover the administrative costs of the program, including the maintenance of records and making collections under this section; and

''(B) to the extent that amounts remain available after paying such administrative costs, to make loans under the program.

''(4) MAINTENANCE OF RECORDS.—The Secretary shall maintain accurate records of the administrative costs referred to in paragraph (3)(A).

''(k) ANNUAL REPORT.—The Secretary, on an annual basis, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the program, including—

''(1) the total amount of loans made under the program in the preceding year;

''(2) the number of students receiving loans under the program in the preceding year; and

''(3) the total amount of loans made under program that are in default as of the date of the report.

''(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2021 through 2026—

''(1) $10,000,000 for making loans under the program; and

''(2) $1,000,000 for administrative expenses of the Secretary in carrying out the program.

''§ 51708. Merchant mariner recruitment, training, and retention grant program

''(a) STRATEGIC PLAN.—

''(1) IN GENERAL.—Not later than one year after the date of enactment of this section, and at least once every 3 years thereafter, the Secretary of Transportation, acting through the Administrator of the Maritime Administration, shall publish in the Federal Register a plan to recruit, train, and retain merchant mariners for the 5-year period following the date of publication of the most recently published plan under this paragraph.

''(2) CONTENTS.—A plan published under paragraph (1) shall contain—

''(A) a strategy to address merchant mariner recruitment, training, and retention issues in the United States; and

''(B) demonstration and research priorities concerning merchant mariner recruitment, training, and retention.

''(3) FACTORS.—In developing a plan under paragraph (1), the Secretary shall take into account, at a minimum—

''(A) the availability of existing research (as of the date of publication of the plan); and

''(B) the need to ensure results that have broad applicability.

''(4) CONSULTATION.—In developing a plan under paragraph (1), the Secretary shall consult with representatives of the maritime industry, labor organizations, including the Commander of the Transportation Command and the Commander of the Military Sealift Command, and other governmental entities and persons with an interest in the maritime industry.

''(5) TRANSMITTAL TO CONGRESS.—The Secretary shall transmit copies of a plan published under paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(b) DEMONSTRATION AND RESEARCH PROJECTS.—

''(1) IN GENERAL.—The Secretary may award grants to, or enter into contracts or cooperative agreements with, a maritime training institutions designated under section 51607(e) or a consortium such institutions, to carry out demonstration and research projects that implement the priorities identified in the plan prepared under subsection (a)(1), for the purpose of recruiting, training, or retaining United States merchant mariners.

''(2) COMPETITIVE AWARDS.—Grants shall be awarded. and contracts and cooperative agreements shall be entered into, under this subsection on a competitive basis under guidelines and requirements to be established by the Secretary.

''(3) APPLICATIONS.—To be eligible to receive a grant or enter into a contract or cooperative agreement under this section for a project under this subsection, a maritime training institution shall submit to the Secretary a proposal that includes, at a minimum—

''(A) a description of the project; and

''(B) a method for evaluating the effectiveness of the project.

''(4) ELIGIBLE PROJECTS.—Projects eligible for grants, contracts, and cooperative agreements under this subsection—

''(A) shall carry out the demonstration and research priorities included in the plan published under subsection (a)(1); and

''(B) may—

''(i) provide training to upgrade the skills of United States merchant mariners, including training to acquire a Standards of Training, Certification and Watchkeeping endorsement under subchapter B of chapter I of title 46, Code of Federal Regulations;

''(ii) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

''(iii) assist in providing services to address merchant mariner recruitment and training of youth residing in targeted high poverty areas within empowerment zones and enterprise communities;

''(iv) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering merchant mariner recruitment and training services;

''(v) design, develop, and test an array of approaches to providing recruitment, training, or retention services, including to one or more targeted populations;

''(vi) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

''(vii) assist in the development and replication of effective service delivery strategies for the national maritime industry as a whole.

''§ 51709. Authorization of appropriations

''There are authorized to be appropriated for each of fiscal years 2021 through 2026—

''(1) $10,000,000 for making grants and entering into cooperative agreements under sections 51707 and 51708; and

''(2) $1,000,000 for administrative expenses of the Secretary in carrying out such sections.''.

(b) CONFORMING AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''51707. Merchant mariner career training loan program.

''51708. Merchant mariner recruitment, training, and retention program.

''51709. Authorization of appropriations.''.

SEC. ____. ASSISTANCE FOR INLAND AND SMALL COASTAL PORTS AND TERMINALS.

Section 50302 of title 46, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (2)—

(i) by inserting ''and subsection (d)'' after ''this subsection''; and

(ii) by adding at the end the following:

''(H) In the case of a small project funded under subsection (d), a private entity or group of entities.'';

(B) in paragraph (6) by striking subparagraph (C);

(C) in paragraph (7)(B) by striking ''paragraph (3)(A)'' and inserting ''subsection (d)'';

(D) in paragraph (8)(B)—

(i) in clause (i) by striking ''under this subsection'' and inserting ''under this subsection and subsection (d)''; and

(ii) in clause (ii) by inserting ''under subsection (d) or'' after ''project''; and

(E) in paragraph (11) by—

(i) striking ''under this subsection'' and inserting ''under this subsection and subsection (d)'' each place such phrase appears; and

(ii) striking ''fiscal year.'' and inserting ''fiscal year, and shall be awarded as grants under the subsection for which the original grant was made.'';

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

''(d) ASSISTANCE FOR INLAND AND SMALL COASTAL PORTS AND TERMINALS.—

''(1) IN GENERAL.—Of amounts reserved under subsection (c)(7)(B), the Secretary, acting through the Administrator of the Maritime Administration, shall make grants under this subsection—

''(A) to the owners or operators of a facility at a port, as such term is defined in subsection (c), to and from which the average annual tonnage of cargo for the immediately preceding 3 calendar years from the time an application is submitted is less than 8,000,000 short tons as determined using Corps of Engineers data; and

''(B) for infrastructure improvements, equipment purchases, and capital investments at such a facility, including piers, wharves, docks, terminals, and similar structures used principally for the movement of

goods, including areas of land, water, or areas in proximity to such structure that are necessary for the movement of goods.

''(2) AWARDS.—In providing assistance under this subsection, the Secretary shall—

''(A) take into account—

''(i) the economic advantage and the contribution to freight transportation at an eligible facility; and

''(ii) the competitive disadvantage of an eligible facility;

''(B) not make more than 1 award per applicant for each fiscal year appropriation; and

''(C) promote the enhancement and efficiencies of an eligible facility.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—Assistance provided under this subsection may be used to—

''(i) make capital improvements;

''(ii) construct, improve, repair, or maintain transportation or physical infrastructure, buildings, equipment, or facility security;

''(iii) perform planning activities related to carrying out an activity described in clause (i); and

''(iv) otherwise fulfill the purposes for which such assistance is provided.

''(B) ACQUISITION METHODS.—The Secretary may not require as a condition of issuing a grant under this subsection—

''(i) direct ownership of either a facility or equipment to be procured using funds awarded under this subsection; or

''(ii) that equipment procured using such funds be new.

''(4) PROHIBITED USES.—Funds provided under this subsection may not be used for—

''(A) projects conducted on property lying outside port or terminal boundaries and not owned or leased by the applicant;

''(B) any single grant award more than 10 percent of total allocation of funds to carry out this subsection per fiscal year appropriation; or

''(C) activities, including channel improvements or harbor deepening, authorized, as of the date of the application for assistance under this subsection, to be carried out by of the Corps of Engineers.

''(5) MATCHING REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary may not provide assistance under this subsection unless the Secretary determines that sufficient funding is available to meet the matching requirements of subsection (c)(8). Any costs of the project to be paid by the recipient's matching share may be incurred prior to the date on which assistance is provided.

''(B) INCLUSIONS.—For the purpose of making the determination under subparagraph (A), funding may include a loan agreement, a commitment from investors, cash on balance sheet, or other contributions determined acceptable by the Secretary.

''(6) APPLICATION AND AWARD.—

''(A) MINIMUM STANDARDS FOR PAYMENT OR REIMBURSEMENT.—Each application submitted shall include a comprehensive description of—

''(i) the project;

''(ii) the need for the project;

''(iii) the methodology for implementing the project; and

''(iv) documentation of matching funds as described in paragraph (5).

''(B) DEMONSTRATION OF EFFECTIVENESS.—In determining whether a project will achieve the purposes for which such assistance is requested under this subsection, the Secretary shall accept documentation used to obtain a commitment of the matching funds described in paragraph (5), including feasibility studies, business plans, investor prospectuses, loan applications, or similar documentation.

''(C) PROJECT APPROVAL REQUIRED.—The Secretary may not award a grant under this subsection unless the Secretary determines that the—

''(i) project will be completed without unreasonable delay; and

''(ii) recipient has authority to carry out the proposed project.

''(7) PROCEDURAL SAFEGUARDS, AUDITS, AND EXAMINATIONS.—

''(A) PROCEDURAL SAFEGUARDS.—The Administrator shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

''(i) assistance provided under this subsection is used for the purposes for which such assistance made available; and

''(ii) grantees have properly accounted for all expenditures of grant funds.

''(B) AUDITS AND EXAMINATIONS.—All grantees under this subsection shall maintain such records as the Administrator may require and make such records available for review and audit by the Administrator.

''(8) LIMITATION.—Not more than 10 percent of the funds made available under subsection (c)(7)(B) may be used to the planning and design of eligible projects described in paragraph (3)(A)(iii).

''(9) DEFINITION OF PROJECT.—In this subsection, the term 'project' has the meaning given such term in subsection (c).''.

SEC. _____. NATIONAL SHIPPER ADVISORY COMMITTEE.

(a) IN GENERAL.—Part B of subtitle IV of title 46, United States Code, is amended by adding at the end the following:

"CHAPTER 425—NATIONAL SHIPPER ADVISORY COMMITTEE

''Sec.
''42501. Definitions.
''42502. National Shipper Advisory Committee.
''42503. Administration.

"§ 42501. Definitions

''In this chapter:

''(1) COMMISSION.—The term 'Commission' means the Federal Maritime Commission.

''(2) COMMITTEE.—The term 'Committee' means the National Shipper Advisory Committee established by section 42502.

"§ 42502. National Shipper Advisory Committee

''(a) ESTABLISHMENT.—There is established a National Shipper Advisory Committee.

''(b) FUNCTION.—The Committee shall advise the Federal Maritime Commission on policies relating to the competitiveness, reliability, integrity, and fairness of the international ocean freight delivery system.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall consist of 24 members appointed by the Commission in accordance with this section.

''(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

''(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

''(A) Twelve members shall represent entities who import cargo to the United States using ocean common carriers.

''(B) Twelve members shall represent entities who export cargo from the United States using ocean common carriers.

"§ 42503. Administration

''(a) MEETINGS.—The Committee shall, not less than once each year, meet at the call of the Commission or a majority of the members of the Committee.

''(b) EMPLOYEE STATUS.—A member of the Committee shall not be considered an employee of the Federal Government by reason of service on such Committee, except for the purposes of the following:

''(1) Chapter 81 of title 5.

''(2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

''(c) ACCEPTANCE OF VOLUNTEER SERVICES.—Notwithstanding any other provision of law, a member of the Committee may serve on such committee on a voluntary basis without pay.

''(d) STATUS OF MEMBERS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), with respect to a member of the Committee whom the Commission appoints to represent an entity or group—

''(A) the member is authorized to represent the interests of the applicable entity or group; and

''(B) requirements under Federal law that would interfere with such representation and that apply to a special Government employee (as defined in section 202(a) of title 18), including requirements relating to employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

''(2) EXCEPTION.—Notwithstanding subsection (b), a member of the Committee shall be treated as a special Government employee for purposes of the committee service of the member if the member, without regard to service on the Committee, is a special Government employee.

''(e) SERVICE ON COMMITTEE.—

''(1) SOLICITATION OF NOMINATIONS.—Before appointing an individual as a member of the Committee, the Commission shall publish a timely notice in the Federal Register soliciting nominations for membership on such Committee.

''(2) APPOINTMENTS.—

''(A) IN GENERAL.—After considering nominations received pursuant to a notice published under paragraph (1), the Commission may appoint a member to the Committee.

''(B) PROHIBITION.—The Commission shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

''(3) SERVICE AT PLEASURE OF THE COMMISSION.—Each member of the Committee shall serve at the pleasure of the Commission.

''(4) SECURITY BACKGROUND EXAMINATIONS.—The Commission may require an individual to have passed an appropriate security background examination before appointment to the Committee.

''(5) PROHIBITION.—A Federal employee may not be appointed as a member of the Committee.

''(6) TERMS.—

''(A) IN GENERAL.—The term of each member of the Committee shall expire on December 31 of the third full year after the effective date of the appointment.

''(B) CONTINUED SERVICE AFTER TERM.—When the term of a member of the Committee ends, the member, for a period not to exceed 1 year, may continue to serve as a member until a successor is appointed.

''(7) VACANCIES.—A vacancy on the Committee shall be filled in the same manner as the original appointment.

''(8) SPECIAL RULE FOR REAPPOINTMENTS.—Notwithstanding paragraphs (1) and (2), the Commission may reappoint a member of a committee for any term, other than the first term of the member, without soliciting, receiving, or considering nominations for such appointment.

''(f) STAFF SERVICES.—The Commission shall furnish to the Committee any staff and services considered by the Commission to be necessary for the conduct of the Committee's functions.

''(g) CHAIR; VICE CHAIR.—

''(1) IN GENERAL.—The Committee shall elect a Chair and Vice Chair from among the committee's members.

''(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—The Vice Chair shall act as Chair in the absence or incapacity of, or in the event of a vacancy in the office of, the Chair.

''(h) SUBCOMMITTEES AND WORKING GROUPS.—

''(1) IN GENERAL.—The Chair of the Committee may establish and disestablish subcommittees and working groups for any purpose consistent with the function of the Committee.

''(2) PARTICIPANTS.—Subject to conditions imposed by the Chair, members of the Committee may be assigned to subcommittees and working groups established under paragraph (1).

''(i) CONSULTATION, ADVICE, REPORTS, AND RECOMMENDATIONS.—

''(1) CONSULTATION.—Before taking any significant action, the Commission shall consult with, and consider the information, advice, and recommendations of, the Committee if the function of the Committee is to advise the Commission on matters related to the significant action.

''(2) ADVICE, REPORTS, AND RECOMMENDATIONS.—The Committee shall submit, in writing, to the Commission its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the Committee.

''(3) EXPLANATION OF ACTIONS TAKEN.—Not later than 60 days after the date on which the Commission receives recommendations from the Committee under paragraph (2), the Commission shall—

''(A) publish the recommendations on a public website; and

''(B) respond, in writing, to the Committee regarding the recommendations, including by providing an explanation of actions taken regarding the recommendations.

''(4) SUBMISSION TO CONGRESS.—The Commission shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the advice, reports, and recommendations received from the Committee under paragraph (2).

''(j) OBSERVERS.—The Commission may designate a representative to—

''(1) attend any meeting of the Committee; and

''(2) participate as an observer at such meeting.

''(k) TERMINATION.—The Committee shall terminate on September 30, 2029.''.

(b) CLERICAL AMENDMENT.—The analysis for subtitle IV of title 46, United States Code, is amended by inserting after the item related to chapter 423 the following:

''425. National Shipper Advisory Committee ..... 42501''.

AMENDMENT NO. 117 OFFERED BY MR. DEFAZIO OF OREGON

At the end of the bill, add the following:

DIVISION F—ELIJAH E. CUMMINGS COAST GUARD AUTHORIZATION ACT OF 2020

SECTION 1. SHORT TITLE.

This division may be cited as the ''Elijah E. Cummings Coast Guard Authorization Act of 2020''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this division is as follows:

DIVISION F—ELIJAH E. CUMMINGS COAST GUARD AUTHORIZATION ACT OF 2020

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definition of Commandant.

TITLE I—AUTHORIZATIONS

Sec. 1001. Authorizations of appropriations.
Sec. 1002. Authorized levels of military strength and training.
Sec. 1003. Determination of budgetary effects.
Sec. 1004. Availability of amounts for acquisition of additional National Security Cutter.
Sec. 1005. Procurement authority for Polar Security Cutters.
Sec. 1006. Sense of the Congress on need for new Great Lakes icebreaker.
Sec. 1007. Procurement authority for Great Lakes icebreaker.
Sec. 1008. Polar Security Cutter acquisition report.
Sec. 1009. Shoreside infrastructure.
Sec. 1010. Major acquisition systems infrastructure.
Sec. 1011. Polar icebreakers.
Sec. 1012. Acquisition of fast response cutter.

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

Sec. 2101. Grade on retirement.
Sec. 2102. Authority for officers to opt out of promotion board consideration.
Sec. 2103. Temporary promotion authority for officers in certain grades with critical skills.
Sec. 2104. Career intermission program.
Sec. 2105. Direct commissioning authority for individuals with critical skills.
Sec. 2106. Employment assistance.

Subtitle B—Organization and Management Matters

Sec. 2201. Congressional affairs; Director.
Sec. 2202. Limitations on claims.
Sec. 2203. Renewal of temporary early retirement authority.
Sec. 2204. Major acquisitions; operation and sustainment costs.
Sec. 2205. Support of women serving in the Coast Guard.
Sec. 2206. Disposition of infrastructure related to E–LORAN.
Sec. 2207. Positions of importance and responsibility.
Sec. 2208. Research projects; transactions other than contracts and grants.
Sec. 2209. Acquisition workforce authorities.
Sec. 2210. Vessel conversion, alteration, and repair projects.
Sec. 2211. Modification of acquisition process and procedures.
Sec. 2212. Establishment and purpose of Fund; definition.
Sec. 2213. Payments from Fund.
Sec. 2214. Determination of contributions to Fund.
Sec. 2215. Payments into Fund.

Subtitle C—Access to Child Care for Coast Guard Families

Sec. 2301. Report on child care and school-age care assistance for qualified families.
Sec. 2302. Review of family support services website and online tracking system.
Sec. 2303. Study and survey on Coast Guard child care needs.
Sec. 2304. Pilot program to expand access to child care.
Sec. 2305. Improvements to Coast Guard-owned family housing.
Sec. 2306. Briefing on transfer of family child care provider qualifications and certifications.
Sec. 2307. Inspections of Coast Guard child development centers and family child care providers.
Sec. 2308. Expanding opportunities for family child care.
Sec. 2309. Definitions.

Subtitle D—Reports

Sec. 2401. Modifications of certain reporting requirements.
Sec. 2402. Report on cybersecurity workforce.
Sec. 2403. Report on navigation and bridge resource management.
Sec. 2404. Report on helicopter life-cycle support and recapitalization.
Sec. 2405. Report on Coast Guard response capabilities for cyber incidents on vessels entering ports or waters of the United States.
Sec. 2406. Study and report on Coast Guard interdiction of illicit drugs in transit zones.
Sec. 2407. Report on liability limits set in section 1004 of the Oil Pollution Act of 1990.
Sec. 2408. Report on Coast Guard defense readiness resources allocation.
Sec. 2409. Report on the feasibility of liquefied natural gas fueled vessels.
Sec. 2410. Coast Guard authorities study.
Sec. 2411. Report on effects of climate change on Coast Guard.
Sec. 2412. Shore infrastructure.
Sec. 2413. Coast Guard housing; status and authorities briefing.
Sec. 2414. Physical access control system report.
Sec. 2415. Study on Certificate of Compliance inspection program with respect to vessels that carry bulk liquefied gases as cargo and liquefied natural gas tank vessels.
Sec. 2416. Comptroller General of the United States review and report on Coast Guard's International Port Security Program.
Sec. 2417. Comptroller General of the United States review and report on surge capacity of the Coast Guard.
Sec. 2418. Comptroller General of the United States review and report on marine inspections program of Coast Guard.
Sec. 2419. Comptroller General of the United States review and report on information technology program of Coast Guard.
Sec. 2420. Comptroller General of the United States study and report on access to health care by members of Coast Guard and dependents.
Sec. 2421. Comptroller General of the United States study and report on medical staffing standards and needs for Coast Guard.
Sec. 2422. Report on fast response cutters, offshore patrol cutters, and national security cutters.

Subtitle E—Coast Guard Academy Improvement Act

Sec. 2501. Short title.
Sec. 2502. Coast Guard Academy study.
Sec. 2503. Annual report.
Sec. 2504. Assessment of Coast Guard Academy admission processes.
Sec. 2505. Coast Guard Academy minority outreach team program.
Sec. 2506. Coast Guard college student pre-commissioning initiative.
Sec. 2507. Annual board of visitors.
Sec. 2508. Homeland Security rotational cybersecurity research program at Coast Guard Academy.

Subtitle F—Other Matters

Sec. 2601. Strategy on leadership of Coast Guard.
Sec. 2602. Expedited transfer in cases of sexual assault; dependents of members of the Coast Guard.
Sec. 2603. Access to resources during creosote-related building closures at Coast Guard Base Seattle, Washington.
Sec. 2604. Southern resident orca conservation and enforcement.

Sec. 2605. Sense of Congress and report on implementation of policy on issuance of warrants and subpoenas and whistleblower protections by agents of the Coast Guard Investigative Service.
Sec. 2606. Inspector General report on access to Equal Opportunity Advisors and Equal Employment Opportunity Specialists.
Sec. 2607. Insider Threat Program.

TITLE III—MARITIME

Subtitle A—Navigation

Sec. 3101. Electronic charts; equivalency.
Sec. 3102. Subrogated claims.
Sec. 3103. Loan provisions under Oil Pollution Act of 1990.
Sec. 3104. Oil pollution research and development program.
Sec. 3105. Limited indemnity provisions in standby oil spill response contracts.

Subtitle B—Shipping

Sec. 3201. Passenger vessel security and safety requirements; application.
Sec. 3202. Small passenger vessels and uninspected passenger vessels.
Sec. 3203. Non-operating individual.
Sec. 3204. Conforming amendments: training; public safety personnel.
Sec. 3205. Maritime transportation assessment.
Sec. 3206. Engine cut-off switches; use requirement.
Sec. 3207. Authority to waive operator of self-propelled uninspected passenger vessel requirements.
Sec. 3208. Exemptions and equivalents.
Sec. 3209. Waiver of navigation and vessel inspection laws.
Sec. 3210. Renewal of merchant mariner licenses and documents.
Sec. 3211. Certificate extensions.
Sec. 3212. Vessel safety standards.
Sec. 3213. Medical standards.

Subtitle C—Advisory Committees

Sec. 3301. Advisory committees.
Sec. 3302. Maritime Transportation System National Advisory Committee.
Sec. 3303. Expired maritime liens.
Sec. 3304. Great Lakes Pilotage Advisory Committee.
Sec. 3305. National Commercial Fishing Safety Advisory Committee.
Sec. 3306. Exemption of commercial fishing vessels operating in Alaskan Region from Global Maritime Distress and Safety System requirements of Federal Communications Commission.

Subtitle D—Ports

Sec. 3401. Port, harbor, and coastal facility security.
Sec. 3402. Aiming laser pointer at vessel.
Sec. 3403. Safety of special activities.
Sec. 3404. Security plans; reviews.
Sec. 3405. Vessel traffic service.
Sec. 3406. Transportation work identification card pilot program.

TITLE IV—MISCELLANEOUS

Subtitle A—Navigation and Shipping

Sec. 4101. Coastwise trade.
Sec. 4102. Towing vessels operating outside boundary line.
Sec. 4103. Sense of Congress regarding the maritime industry of the United States.
Sec. 4104. Cargo preference study.
Sec. 4105. Towing vessel inspection fees.

Subtitle B—Maritime Domain Awareness

Sec. 4201. Unmanned maritime systems and satellite vessel tracking technologies.
Sec. 4202. Unmanned aircraft systems testing.
Sec. 4203. Land-based unmanned aircraft system program of Coast Guard.
Sec. 4204. Prohibition on operation or procurement of foreign-made unmanned aircraft systems.
Sec. 4205. United States commercial space-based radio frequency maritime domain awareness testing and evaluation program.
Sec. 4206. Authorization of use of automatic identification systems devices to mark fishing equipment.

Subtitle C—Arctic

Sec. 4301. Coast Guard Arctic prioritization.
Sec. 4302. Arctic PARS Native engagement.
Sec. 4303. Voting requirement.
Sec. 4304. Report on the Arctic capabilities of the Armed Forces.
Sec. 4305. Report on Arctic search and rescue.
Sec. 4306. Arctic Shipping Federal Advisory Committee.

Subtitle D—Other Matters

Sec. 4401. Plan for wing-in-ground demonstration plan.
Sec. 4402. Northern Michigan oil spill response planning.
Sec. 4403. Documentation of LNG tankers.
Sec. 4404. Replacement vessel.
Sec. 4405. Educational vessel.
Sec. 4406. Waters deemed not navigable waters of the United States for certain purposes.
Sec. 4407. Anchorages.
Sec. 4408. Comptroller General of the United States study and report on vertical evacuation for tsunamis at Coast Guard Stations in Washington and Oregon.
Sec. 4409. Authority to enter into agreements with National Coast Guard Museum Association.
Sec. 4410. Formal sexual assault policies for passenger vessels.
Sec. 4411. Regulations for covered small passenger vessels.

TITLE V—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Sec. 5001. Transfers.
Sec. 5002. Additional transfers.
Sec. 5003. License exemptions; repeal of obsolete provisions.
Sec. 5004. Maritime transportation system.
Sec. 5005. References to ''persons'' and ''seamen''.
Sec. 5006. References to ''himself'' and ''his''.
Sec. 5007. Miscellaneous technical corrections.
Sec. 5008. Technical corrections relating to codification of Ports and Waterways Safety Act.
Sec. 5009. Aids to navigation.
Sec. 5010. Transfers related to employees of Lighthouse Service.
Sec. 5011. Transfers related to surviving spouses of Lighthouse Service employees.
Sec. 5012. Repeals related to lighthouse statutes.

TITLE VI—FEDERAL MARITIME COMMISSION

Sec. 6001. Short title.
Sec. 6002. Authorization of appropriations.
Sec. 6003. Unfinished proceedings.
Sec. 6004. Transfer of Federal Maritime Commission provisions.

SEC. 3. DEFINITION OF COMMANDANT.

In this division, the term ''Commandant'' means the Commandant of the Coast Guard.

TITLE I—AUTHORIZATIONS

SEC. 1001. AUTHORIZATIONS OF APPROPRIATIONS.

Section 4902 of title 14, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''year 2019'' and inserting ''years 2020 and 2021'';

(2) in paragraph (1)(A), by striking ''provided for, $7,914,195,000 for fiscal year 2019.'' and inserting ''provided for—

''(i) $8,151,620,850 for fiscal year 2020; and

''(ii) $8,396,169,475 for fiscal year 2021.'';

(3) in paragraph (1)(B), by striking ''subparagraph (A)—'' and inserting ''subparagraph (A)(i), $17,035,000 shall be for environmental compliance and restoration.'';

(4) by striking clauses (i) and (ii) of paragraph (1)(B);

(5) in paragraph (1), by adding at the end the following:

''(C) Of the amount authorized under subparagraph, (A)(ii) $17,376,000 shall be for environmental compliance and restoration.'';

(6) in paragraph (2)—

(A) by striking ''For the procurement'' and inserting ''(A) For the procurement'';

(B) by striking ''and equipment, $2,694,745,000 for fiscal year 2019.'' and inserting ''and equipment—

''(i) $2,794,745,000 for fiscal year 2020; and

''(ii) $3,312,114,000 for fiscal year 2021.''; and

(C) by adding at the end the following:

''(B) Of the amounts authorized under subparagraph (A), the following amounts shall be for the alteration of bridges:

''(i) $10,000,000 for fiscal year 2020; and

''(ii) $20,000,000 for fiscal year 2021.'';

(7) in paragraph (3), by striking ''and equipment, $29,141,000 for fiscal year 2019.'' and inserting ''and equipment—

''(A) $13,834,000 for fiscal year 2020; and

''(B) $14,111,000 for fiscal year 2021.''; and

(8) by adding at the end the following:

''(4) For the Coast Guard's Medicare-eligible retiree health care fund contribution to the Department of Defense—

''(A) $205,107,000 for fiscal year 2020; and

''(B) $209,209,000 for fiscal year 2021.''.

SEC. 1002. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking ''43,000 for fiscal year 2018 and 44,500 for fiscal year 2019'' and inserting ''44,500 for each of fiscal years 2020 and 2021''; and

(2) in subsection (b), by striking ''fiscal years 2018 and 2019'' and inserting ''fiscal years 2020 and 2021''.

SEC. 1003. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this division, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this division, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 1004. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF ADDITIONAL NATIONAL SECURITY CUTTER.

(a) IN GENERAL.—Of the amounts authorized to be appropriated by—

(1) section 4902(2)(A)(i) of title 14, United States Code, as amended by section 1001 of this division, $100,000,000 for fiscal year 2020; and

(2) section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 1001 of this division, $550,000,000 for fiscal year 2021

is authorized for the acquisition of a National Security Cutter.

(b) TREATMENT OF ACQUIRED CUTTER.—Any cutter acquired using amounts available pursuant to subsection (a) shall be in addition to the National Security Cutters approved under the existing acquisition baseline in the program of record for the National Security Cutter.

SEC. 1005. PROCUREMENT AUTHORITY FOR POLAR SECURITY CUTTERS.

(a) FUNDING.—Of the amounts authorized to be appropriated by—

(1) section 4902(2)(A)(i) of title 14, United States Code, as amended by section 1001 of this division, $135,000,000 for fiscal year 2020; and

(2) section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 1001 of this division, $610,000,000 for fiscal year 2021

is authorized for construction of a Polar Security Cutter.

(b) PROHIBITION ON CONTRACTS OR USE OF FUNDS FOR DEVELOPMENT OF COMMON HULL DESIGN.—Notwithstanding any other provision of law, the Secretary of the department in which the Coast Guard is operating may not enter into any contract for, and no funds shall be obligated or expended on, the development of a common hull design for medium Polar Security Cutters and Great Lakes icebreakers.

SEC. 1006. SENSE OF THE CONGRESS ON NEED FOR NEW GREAT LAKES ICEBREAKER.

(a) FINDINGS.—The Congress finds the following:

(1) The Great Lakes shipping industry is crucial to the American economy, including the United States manufacturing base, providing important economic and national security benefits.

(2) A recent study found that the Great Lakes shipping industry supports 237,000 jobs and tens of billions of dollars in economic activity.

(3) United States Coast Guard icebreaking capacity is crucial to full utilization of the Great Lakes shipping system, as during the winter icebreaking season up to 15 percent of annual cargo loads are delivered, and many industries would have to reduce their production if Coast Guard icebreaking services were not provided.

(4) Six of the Coast Guard's nine icebreaking cutters in the Great Lakes are more than 30 years old and are frequently inoperable during the winter icebreaking season, including those that have completed a recent service life extension program.

(5) During the previous 10 winters, Coast Guard Great Lakes icebreaking cutters have been inoperable for an average of 65 cutter-days during the winter icebreaking season, with this annual lost capability exceeding 100 cutter days, with a high of 246 cutter days during the winter of 2017–2018.

(6) The 2019 ice season provides further proof that current Coast Guard icebreaking capacity is inadequate for the needs of the Great Lakes shipping industry, as only six of the nine icebreaking cutters are operational, and millions of tons of cargo was not loaded or was delayed due to inadequate Coast Guard icebreaking assets during a historically average winter for Great Lakes ice coverage.

(7) The Congress has authorized the Coast Guard to acquire a new Great Lakes icebreaker as capable as Coast Guard Cutter *Mackinaw* (WLBB–30), the most capable Great Lakes icebreaker, and $10 million has been appropriated to fund the design and initial acquisition work for this icebreaker.

(8) The Coast Guard has not initiated a new acquisition program for this Great Lakes icebreaker.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress of the United States that a new Coast Guard icebreaker as capable as Coast Guard Cutter *Mackinaw* (WLBB–30) is needed on the Great Lakes, and the Coast Guard should acquire this icebreaker as soon as possible.

SEC. 1007. PROCUREMENT AUTHORITY FOR GREAT LAKES ICEBREAKER.

(a) IN GENERAL.—Of the amounts authorized to be appropriated by section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 1001 of this division, $160,000,000 for fiscal year 2021 is authorized for the acquisition of a Great Lakes icebreaker at least as capable as *USCGC Mackinaw* (WLBB–30).

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for acquiring an icebreaker as required by section 820(b) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282).

SEC. 1008. POLAR SECURITY CUTTER ACQUISITION REPORT.

Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committees on Transportation and Infrastructure and Armed Services of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Armed Services of the Senate a report on—

(1) the extent to which specifications, key drawings, and detail design for the Polar Security Cutter are complete before the start of construction;

(2) the extent to which Polar Security Cutter hulls numbers one, two, and three are science ready; and

(3) what actions will be taken to ensure that Polar Security Cutter hull number four is science capable, as described in the National Academies of Sciences, Engineering, and Medicine's Committee on Polar Icebreaker Cost Assessment letter report entitled ''Acquisition and Operation of Polar Icebreakers: Fulfilling the Nation's Needs'' and dated July 11, 2017.

SEC. 1009. SHORESIDE INFRASTRUCTURE.

Of the amounts authorized to be appropriated by section 4902(2)(A) of title 14, United States Code, as amended by section 1001 of this division, for each of fiscal years 2020 and 2021, $167,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding, or improvement of the Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

SEC. 1010. MAJOR ACQUISITION SYSTEMS INFRASTRUCTURE.

Of the amounts authorized to be appropriated by section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 1001 of this division, $105,000,000 is authorized for the hangar replacement listed in the fiscal year 2020 Unfunded Priority List.

SEC. 1011. POLAR ICEBREAKERS.

(a) IN GENERAL.—Section 561 of title 14, United States Code, is amended to read as follows:

''§ 561. Icebreaking in polar regions

''(a) PROCUREMENT AUTHORITY.—

''(1) IN GENERAL.—The Secretary may enter into one or more contracts for the procurement of—

''(A) the Polar Security Cutters approved as part of a major acquisition program as of November 1, 2019; and

''(B) 3 additional Polar Security Cutters.

''(2) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract during a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

''(b) PLANNING.—The Secretary shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.

''(c) REIMBURSEMENT.—Nothing in this section shall preclude the Secretary from seeking reimbursement for operation and maintenance costs of the *Polar Star*, *Healy*, or any other Polar Security Cutter from other Federal agencies and entities, including foreign countries, that benefit from the use of those vessels.

''(d) RESTRICTION.—

''(1) IN GENERAL.—The Commandant may not—

''(A) transfer, relinquish ownership of, dismantle, or recycle the *Polar Sea* or *Polar Star*;

''(B) change the current homeport of the *Polar Sea* or *Polar Star*; or

''(C) expend any funds—

''(i) for any expenses directly or indirectly associated with the decommissioning of the *Polar Sea* or *Polar Star*, including expenses for dock use or other goods and services;

''(ii) for any personnel expenses directly or indirectly associated with the decommissioning of the *Polar Sea* or *Polar Star*, including expenses for a decommissioning officer;

''(iii) for any expenses associated with a decommissioning ceremony for the *Polar Sea* or *Polar Star*;

''(iv) to appoint a decommissioning officer to be affiliated with the *Polar Sea* or *Polar Star*; or

''(v) to place the *Polar Sea* or *Polar Star* in inactive status.

''(2) SUNSET.—This subsection shall cease to have effect on September 30, 2022.

''(e) LIMITATION.—

''(1) IN GENERAL.—The Secretary may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

''(A) design activities related to a capability of a Polar Security Cutter that is based solely on an operational requirement of a Federal department or agency other than the Coast Guard, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

''(B) long-lead-time materials, production, or postdelivery activities related to such a capability.

''(2) OTHER AMOUNTS.—Amounts made available to the Secretary under an agreement with a Federal department or agency other than the Coast Guard and expended on a capability of a Polar Security Cutter that is based solely on an operational requirement of such Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation under paragraph (1).

''(f) ENHANCED MAINTENANCE PROGRAM FOR THE POLAR STAR.—

''(1) IN GENERAL.—Subject to the availability of appropriations, the Commandant shall conduct an enhanced maintenance program on the Polar Star to extend the service life of such vessel until at least December 31, 2025.

''(2) AUTHORIZATION OF APPROPRIATIONS.—The Commandant may use funds made available pursuant to section 4902(1)(A), to carry out this subsection.

''(g) DEFINITIONS.—In this section:

''(1) POLAR SEA.—The term '*Polar Sea*' means Coast Guard Cutter *Polar Sea* (WAGB 11).

''(2) POLAR STAR.—The term '*Polar Star*' means Coast Guard Cutter *Polar Star* (WAGB 10).

''(3) HEALY.—The term '*Healy*' means Coast Guard Cutter *Healy* (WAGB 20).''.

(b) CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.—Section 1137(a) of title 14,

United States Code, is amended by inserting ''and 3 Polar Security Cutters in addition to those approved as part of a major acquisition program on November 1, 2019'' before the period at the end.

(c) REPEALS.—

(1) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 210 of the Coast Guard and Maritime Transportation Act of 2006 (14 U.S.C. 504 note) is repealed.

(2) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2012.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213) is repealed.

(3) HOWARD COBLE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2014.—Section 505 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is repealed.

(4) FRANK LOBIONDO COAST GUARD AUTHORIZATION ACT OF 2018.—Section 821 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is repealed.

SEC. 1012. ACQUISITION OF FAST RESPONSE CUTTER.

(a) IN GENERAL.—Of the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 1001 of this division, $265,000,000 for fiscal year 2021 shall be made available for the acquisition of four Fast Responses Cutters.

(b) TREATMENT OF ACQUIRED CUTTERS.—Any cutter acquired pursuant to subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

SEC. 2101. GRADE ON RETIREMENT.

(a) RETIREMENT OF COMMANDANT OR VICE COMMANDANT.—Section 303 of title 14, United States Code, is amended by adding at the end the following:

''(d) Retirement under this section is subject to section 2501(a) of this title.''.

(b) RETIREMENT.—Section 306 of title 14, United States Code, is amended—

(1) in subsection (a), by inserting ''satisfactorily, as determined under section 2501 of this title'' before the period;

(2) in subsection (b), by inserting ''satisfactorily, as determined under section 2501 of this title'' before the period; and

(3) in subsection (c), by inserting ''if performance of duties in such grade is determined to have been satisfactory pursuant to section 2501 of this title'' before the period.

(c) GRADE ON RETIREMENT.—Section 2501 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Any commissioned officer, other than a commissioned warrant officer,'' and inserting ''COMMISSIONED OFFICERS.—

''(1) IN GENERAL.—A commissioned officer'';

(B) by striking ''him'' and inserting ''the commissioned officer'';

(C) by striking ''his'' and inserting ''the commissioned officer's''; and

(D) by adding at the end the following:

''(2) CONDITIONAL DETERMINATION.—When a commissioned officer is under investigation for alleged misconduct at the time of retirement—

''(A) the Secretary may conditionally determine the highest grade of satisfactory service of the commissioned officer pending completion of the investigation; and

''(B) the grade under subparagraph (A) is subject to resolution under subsection (c)(2).'';

(2) in subsection (b)—

(A) by inserting ''WARRANT OFFICERS.—'' after ''(b)'';

(B) by striking ''him'' and inserting ''the warrant officer''; and

(C) by striking ''his'' and inserting ''the warrant officer's''; and

(3) by adding at the end the following:

''(c) RETIREMENT IN LOWER GRADE.—

''(1) MISCONDUCT IN LOWER GRADE.—In the case of a commissioned officer whom the Secretary determines committed misconduct in a lower grade, the Secretary may determine the commissioned officer has not served satisfactorily in any grade equal to or higher than that lower grade.

''(2) ADVERSE FINDINGS.—A determination of the retired grade of a commissioned officer shall be resolved following a conditional determination under subsection (a)(2) if the investigation of or personnel action against the commissioned officer results in adverse findings.

''(3) RECALCULATION OF RETIRED PAY.—If the retired grade of a commissioned officer is reduced pursuant to this subsection, the retired pay of the commissioned officer shall be recalculated under chapter 71 of title 10, and any modification of the retired pay of the commissioned officer shall go into effect on the effective date of the reduction in retired grade.

''(d) FINALITY OF RETIRED GRADE DETERMINATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a determination of the retired grade of a commissioned officer under this section is administratively final on the day the commissioned officer is retired, and may not be reopened.

''(2) REOPENING DETERMINATIONS.—A determination of the retired grade of a commissioned officer may be reopened if—

''(A) the retirement or retired grade of the commissioned officer was procured by fraud;

''(B) substantial evidence comes to light after the retirement that could have led to a lower retired grade under this section and such evidence was known by competent authority at the time of retirement;

''(C) a mistake of law or calculation was made in the determination of the retired grade;

''(D) in the case of a retired grade following a conditional determination under subsection (a)(2), the investigation of or personnel action against the commissioned officer results in adverse findings; or

''(E) the Secretary determines, under regulations prescribed by the Secretary, that good cause exists to reopen the determination.

''(3) REQUIREMENTS.—If a determination of the retired grade of a commissioned officer is reopened under paragraph (2), the Secretary—

''(A) shall notify the commissioned officer of the reopening; and

''(B) may not make an adverse determination on the retired grade of the commissioned officer until the commissioned officer has had a reasonable opportunity to respond regarding the basis of the reopening.

''(4) RECALCULATION OF RETIRED PAY.—If the retired grade of a commissioned officer is reduced through the reopening of the commissioned officer's retired grade under paragraph (2), the retired pay of the commissioned officer shall be recalculated under chapter 71 of title 10, and any modification of the retired pay of the commissioned officer shall go into effect on the effective date of the reduction in retired grade.

''(e) INAPPLICABILITY TO COMMISSIONED WARRANT OFFICERS.—This section, including subsection (b), shall not apply to commissioned warrant officers.''.

SEC. 2102. AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION BOARD CONSIDERATION.

(a) ELIGIBILITY OF OFFICERS FOR CONSIDERATION FOR PROMOTION.—Section 2113 of title 14, United States Code, is amended by adding at the end the following:

''(g)(1) Notwithstanding subsection (a), the Commandant may provide that an officer may, upon the officer's request and with the approval of the Commandant, be excluded from consideration by a selection board convened under section 2106.

''(2) The Commandant shall approve a request 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 Coast Guard, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Commandant;

''(B) the Commandant determines the exclusion from consideration is in the best interest of the Coast Guard; and

''(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

(b) ELIGIBILITY OF RESERVE OFFICER FOR PROMOTION.—Section 3743 of title 14, United States Code, is amended to read as follows:

''§ 3743. Eligibility for promotion

''(a) IN GENERAL.—Except as provided in subsection (b), a Reserve officer is eligible for consideration for promotion and for promotion under this subchapter if that officer is in an active status.

''(b) EXCEPTION.—A Reserve officer who has been considered but not recommended for retention in an active status by a board convened under subsection 3752(a) of this title is not eligible for consideration for promotion.

''(c) REQUEST FOR EXCLUSION.—

''(1) IN GENERAL.—The Commandant may provide that an officer may, upon the officer's request and with the approval of the Commandant, be excluded from consideration by a selection board convened under section 3740(b) of this title to consider officers for promotion to the next higher grade.

''(2) APPROVAL OF REQUEST.—The Commandant shall approve a request under paragraph (1) only if—

''(A) the basis for the request is to allow an officer to complete a broadening assignment, advanced education, another assignment of significant value to the Coast Guard, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Commandant;

''(B) the Commandant determines the exclusion from consideration is in the best interest of the Coast Guard; and

''(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

SEC. 2103. TEMPORARY PROMOTION AUTHORITY FOR OFFICERS IN CERTAIN GRADES WITH CRITICAL SKILLS.

(a) IN GENERAL.—Subchapter I of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''§ 2130. Promotion to certain grades for officers with critical skills: captain, commander, lieutenant commander, lieutenant

''(a) IN GENERAL.—An officer in the grade of lieutenant (junior grade), lieutenant, lieutenant commander, or commander who is described in subsection (b) may be temporarily promoted to the grade of lieutenant, lieutenant commander, commander, or captain under regulations prescribed by the Secretary. Appointments under this section shall be made by the President, by and with the advice and consent of the Senate.

''(b) COVERED OFFICERS.—An officer described in this subsection is any officer in a grade specified in subsection (a) who—

''(1) has a skill in which the Coast Guard has a critical shortage of personnel (as determined by the Secretary); and

''(2) is serving in a position (as determined by the Secretary) that—

''(A) is designated to be held by a lieutenant, lieutenant commander, commander, or captain; and

''(B) requires that an officer serving in such position have the skill possessed by such officer.

''(c) PRESERVATION OF POSITION AND STATUS OF OFFICERS APPOINTED.—

''(1) The temporary positions authorized under this section shall not be counted among or included in the list of positions on the active duty promotion list.

''(2) An appointment under this section does not change the position on the active duty list or the permanent, probationary, or acting status of the officer so appointed, prejudice the officer in regard to other promotions or appointments, or abridge the rights or benefits of the officer.

''(d) BOARD RECOMMENDATION REQUIRED.—A temporary promotion under this section may be made only upon the recommendation of a board of officers convened by the Secretary for the purpose of recommending officers for such promotions.

''(e) ACCEPTANCE AND EFFECTIVE DATE OF APPOINTMENT.—Each appointment under this section, unless expressly declined, is, without formal acceptance, regarded as accepted on the date such appointment is made, and a member so appointed is entitled to the pay and allowances of the grade of the temporary promotion under this section beginning on the date the appointment is made.

''(f) TERMINATION OF APPOINTMENT.—Unless sooner terminated, an appointment under this section terminates—

''(1) on the date the officer who received the appointment is promoted to the permanent grade of lieutenant, lieutenant commander, commander, or captain;

''(2) on the date the officer is detached from a position described in subsection (b)(2), unless the officer is on a promotion list to the permanent grade of lieutenant, lieutenant commander, commander, or captain, in which case the appointment terminates on the date the officer is promoted to that grade;

''(3) when the appointment officer determines that the officer who received the appointment has engaged in misconduct or has displayed substandard performance; or

''(4) when otherwise determined by the Commandant to be in the best interests of the Coast Guard.

''(g) LIMITATION ON NUMBER OF ELIGIBLE POSITIONS.—An appointment under this section may only be made for service in a position designated by the Secretary for the purposes of this section. The number of positions so designated may not exceed the following percentages of the respective grades:

''(1) As lieutenant, 0.5 percent.

''(2) As lieutenant commander, 3.0 percent.

''(3) As commander, 2.6 percent.

''(4) As captain, 2.6 percent.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

''2130. Promotion to certain grades for officers with critical skills: captain, commander, lieutenant commander, lieutenant.''.

SEC. 2104. CAREER INTERMISSION PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''§ 2514. Career flexibility to enhance retention of members

''(a) PROGRAMS AUTHORIZED.—The Commandant may carry out a program under which members of the Coast Guard may be inactivated from active service in order to meet personal or professional needs and returned to active service at the end of such period of inactivation from active service.

''(b) PERIOD OF INACTIVATION FROM ACTIVE SERVICE; EFFECT OF INACTIVATION.—

''(1) IN GENERAL.—The period of inactivation from active service under a program under this section of a member participating in the program shall be such period as the Commandant shall specify in the agreement of the member under subsection (c), except that such period may not exceed 3 years.

''(2) EXCLUSION FROM YEARS OF SERVICE.—Any service by a Reserve officer while participating in a program under this section shall be excluded from computation of the total years of service of that officer pursuant to section 14706(a) of title 10.

''(3) EXCLUSION FROM RETIREMENT.—Any period of participation of a member in a program under this section shall not count toward—

''(A) eligibility for retirement or transfer to the Ready Reserve under either chapter 841 or 1223 of title 10; or

''(B) computation of retired or retainer pay under chapter 71 or 1223 of title 10.

''(c) AGREEMENT.—Each member of the Coast Guard who participates in a program under this section shall enter into a written agreement with the Commandant under which that member shall agree as follows:

''(1) To accept an appointment or enlist, as applicable, and serve in the Coast Guard Ready Reserve during the period of the inactivation of the member from active service under the program.

''(2) To undergo during the period of the inactivation of the member from active service under the program such inactive service training as the Commandant shall require in order to ensure that the member retains proficiency, at a level determined by the Commandant to be sufficient, in the military skills, professional qualifications, and physical readiness of the member during the inactivation of the member from active service.

''(3) Following completion of the period of the inactivation of the member from active service under the program, to serve 2 months as a member of the Coast Guard on active service for each month of the period of the inactivation of the member from active service under the program.

''(d) CONDITIONS OF RELEASE.—The Commandant shall prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c). At a minimum, the Commandant shall prescribe the procedures and standards to be used to instruct a member on the obligations to be assumed by the member under paragraph (2) of such subsection while the member is released from active service.

''(e) ORDER TO ACTIVE SERVICE.—Under regulations prescribed by the Commandant, a member of the Coast Guard participating in a program under this section may, in the discretion of the Commandant, be required to terminate participation in the program and be ordered to active service.

''(f) PAY AND ALLOWANCES.—

''(1) BASIC PAY.—During each month of participation in a program under this section, a member 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 member would otherwise be entitled under section 204 of title 37 as a member of the uniformed services on active service in the grade and years of service of the member when the member commences participation in the program.

''(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

''(A) PROHIBITION.—A member who participates in such a program shall not, while participating in the program, be paid any special or incentive pay or bonus to which the member is otherwise entitled under an agreement under chapter 5 of title 37 that is in force when the member commences participation in the program.

''(B) NOT TREATED AS FAILURE TO PERFORM SERVICES.—The inactivation from active service of a member participating in a program shall not be treated as a failure of the member to perform any period of service required of the member in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37 that is in force when the member commences participation in the program.

''(3) RETURN TO ACTIVE SERVICE.—

''(A) SPECIAL OR INCENTIVE PAY OR BONUS.—Subject to subparagraph (B), upon the return of a member to active service after completion by the member of participation in a program—

''(i) any agreement entered into by the member under chapter 5 of title 37 for the payment of a special or incentive pay or bonus that was in force when the member 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 member commenced participation in the program; and

''(ii) any special or incentive pay or bonus shall be payable to the member 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 such subparagraph with respect to a member if, at the time of the return of the member to active service as described in that subparagraph—

''(I) such pay or bonus is no longer authorized by law; or

''(II) the member does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the member to active service.

''(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by such subparagraph with respect to a member if, during the term of the revived agreement of the member under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

''(C) REPAYMENT.—A member 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 member under chapter 5 of title 37.

''(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of a member under an agreement covered by this paragraph after the member returns to active service as described in subparagraph (A) shall be in addition to any service required of the member under an agreement under subsection (c).

''(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), a member who participates in a program is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37 for—

''(i) travel performed from the residence of the member, at the time of release from active service to participate in the program, to the location in the United States designated by the member as the member's residence during the period of participation in the program; and

''(ii) travel performed to the residence of the member upon return to active service at the end of the participation of the member in the program.

''(B) SINGLE RESIDENCE.—An allowance is payable under this paragraph only with respect to travel of a member to and from a single residence.

''(5) LEAVE BALANCE.—A member who participates in a program is entitled to carry forward the leave balance existing as of the day on which the member begins participation and accumulated in accordance with section 701 of title 10, but not to exceed 60 days.

''(g) PROMOTION.—

''(1) OFFICERS.—

''(A) 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 chapter 21 or 37 of this title.

''(B) RETURN TO SERVICE.—Upon the return of an officer to active service after completion by the officer of participation in a program—

''(i) the Commandant may adjust the date of rank of the officer in such manner as the Commandant may prescribe in regulations for purposes of this section; and

''(ii) 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.

''(2) ENLISTED MEMBERS.—An enlisted member participating in a program under this section shall not be eligible for consideration for advancement during the period that—

''(A) begins on the date of the inactivation of the member from active service under the program; and

''(B) ends at such time after the return of the member to active service under the program that the member is treatable as eligible for promotion by reason of time in grade and such other requirements as the Commandant shall prescribe in regulations for purposes of the program.

''(h) CONTINUED ENTITLEMENTS.—A member participating in a program under this section shall, while participating in the program, be treated as a member of the Armed Forces on active duty for a period of more than 30 days for purposes of—

''(1) the entitlement of the member and of the dependents of the member 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 chapter 61 of title 10 and chapters 21 and 23 of this title.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

''2514. Career flexibility to enhance retention of members.''.

SEC. 2105. DIRECT COMMISSIONING AUTHORITY FOR INDIVIDUALS WITH CRITICAL SKILLS.

(a) IN GENERAL.—Subchapter II of chapter 37 of title 14, United States Code, is amended by inserting after section 3738 the following:

''§ 3738a. Direct commissioning authority for individuals with critical skills

''An individual with critical skills that the Commandant considers necessary for the Coast Guard to complete its missions who is not currently serving as an officer in the Coast Guard may be commissioned into the Coast Guard at a grade up to and including commander.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 37 of title 14, United States Code, is amended by inserting after the item relating to section 3738 the following:

''3738a. Direct commissioning authority for individuals with critical skills.''.

(c) TECHNICAL AMENDMENT.—The heading for the first chapter of subtitle III of title 14, United States Code, is amended by striking ''**CHAPTER 1**'' and inserting ''**CHAPTER 37**''.

SEC. 2106. EMPLOYMENT ASSISTANCE.

(a) IN GENERAL.—Subchapter I of chapter 27 of title 14, United States Code, is amended by adding at the end the following:

''§ 2713. Employment assistance

''(a) IN GENERAL.—In order to improve the accuracy and completeness of a certification or verification of job skills and experience required by section 1143(a)(1) of title 10, the Secretary shall—

''(1) establish a database to record all training performed by members of the Coast Guard that may have application to employment in the civilian sector; and

''(2) make unclassified information regarding such information available to States and other potential employers referred to in section 1143(c) of title 10 so that States and other potential employers may allow military training to satisfy licensing or certification requirements to engage in a civilian profession.

''(b) FORM OF CERTIFICATION OR VERIFICATION.—The Secretary shall ensure that a certification or verification of job skills and experience required by section 1143(a)(1) of title 10 is rendered in such a way that States and other potential employers can confirm the accuracy and authenticity of the certification or verification.

''(c) REQUESTS BY STATES.—A State may request that the Secretary confirm the accuracy and authenticity of a certification or verification of job skills and experience provided under section 1143(c) of title 10.''.

(b) CLERICAL AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

''2713. Employment assistance.''.

Subtitle B—Organization and Management Matters

SEC. 2201. CONGRESSIONAL AFFAIRS; DIRECTOR.

(a) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 321. Congressional affairs; Director

''The Commandant shall appoint a Director of Congressional Affairs from among officers of the Coast Guard who are in a grade above captain. The Director of Congressional Affairs is separate and distinct from the Director of Governmental and Public Affairs for the Coast Guard and is the principal advisor to the Commandant on all congressional and legislative matters for the Coast Guard and may have such additional functions as the Commandant may direct.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''321. Congressional affairs; Director.''.

SEC. 2202. LIMITATIONS ON CLAIMS.

(a) ADMIRALTY CLAIMS.—Section 937(a) of title 14, United States Code, is amended by striking ''$100,000'' and inserting ''$425,000''.

(b) CLAIMS FOR DAMAGE TO PROPERTY OF THE UNITED STATES.—Section 938 of title 14, United States Code, is amended by striking ''$100,000'' and inserting ''$425,000''.

SEC. 2203. RENEWAL OF TEMPORARY EARLY RETIREMENT AUTHORITY.

Section 219 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 10 U.S.C. 1293 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''For fiscal years 2013 through 2018'' and inserting ''For fiscal years 2019 through 2025''; and

(2) in paragraph (1), by striking ''subsection (c)(2)(A)'' and inserting ''subsection (c)(1)''.

SEC. 2204. MAJOR ACQUISITIONS; OPERATION AND SUSTAINMENT COSTS.

Section 5103(e)(3) of title 14, United States Code, is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following:

''(B) operate and sustain the cutters and aircraft described in paragraph (2);''.

SEC. 2205. SUPPORT OF WOMEN SERVING IN THE COAST GUARD.

(a) ACTION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall—

(A) determine which recommendations in the RAND gender diversity report can practicably be implemented to promote gender diversity in the Coast Guard; and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actions the Coast Guard has taken, or plans to take, to implement such recommendations.

(2) CURRICULUM AND TRAINING.—The Commandant shall update curriculum and training materials used at—

(A) officer accession points, including the Coast Guard Academy and the Leadership Development Center;

(B) enlisted member accession at the United States Coast Guard Training Center Cape May in Cape May, New Jersey; and

(C) the officer, enlisted member, and civilian leadership courses managed by the Leadership Development Center.

Such updates shall reflect actions the Coast Guard has taken, or plans to take, to carry out the recommendations of the RAND gender diversity report.

(3) DEFINITION.—In this subsection, the term ''RAND gender diversity report'' means the RAND Corporation's Homeland Security Operational Analysis Center 2019 report entitled ''Improving Gender Diversity in the U.S. Coast Guard: Identifying Barriers to Female Retention''.

(b) ADVISORY BOARD ON WOMEN AT THE COAST GUARD ACADEMY.—Chapter 19 of title 14, United States Code, is amended—

(1) by redesignating section 1904 as section 1906;

(2) by inserting after section 1903 the following:

''§ 1904. Advisory Board on Women at the Coast Guard Academy

''(a) IN GENERAL.—The Superintendent of the Academy shall establish at the Coast Guard Academy an advisory board to be known as the Advisory Board on Women at the Coast Guard Academy (referred to in this section as the 'Advisory Board').

''(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 current cadets of the Coast Guard Academy, including not fewer than 3 cadets from each current class.

''(c) APPOINTMENT; TERM.—Cadets shall serve on the Advisory Board pursuant to appointment by the Superintendent of the Academy. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of cadets at the Academy. The term of membership of a cadet on the Advisory Board shall be 1 academic year.

''(d) REAPPOINTMENT.—The Superintendent of the Academy may reappoint not more

than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Superintendent of the Academy determines such reappointment to be in the best interests of the Coast Guard Academy.

''(e) MEETINGS.—The Advisory Board shall meet with the Commandant at least once each academic year on the activities of the Advisory Board. The Advisory Board shall meet in person with the Superintendent of the Academy not less than twice each academic year on the duties of the Advisory Board.

''(f) DUTIES.—The Advisory Board shall identify opportunities and challenges facing cadets at the Academy who are women, including an assessment of culture, leadership development, and access to health care of cadets at the Academy who are women.

''(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of cadets at the Academy who are not current members of the Advisory Board.

''(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Commandant and the Superintendent reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.''; and

(3) by amending the analysis for such chapter—

(A) by amending the item relating to section 1904 to read as follows:

''1904. Advisory Board on Women at the Coast Guard Academy.''; and

(B) by adding at the end the following:

''1906. Participation in Federal, State, or other educational research grants.''.

(c) ADVISORY BOARD ON WOMEN IN THE COAST GUARD.—Chapter 25 of title 14, United States Code, is amended—

(1) by redesignating subchapter II as subchapter III;

(2) by inserting after subchapter I the following:

''SUBCHAPTER II—ADVISORY BOARD ON WOMEN IN THE COAST GUARD

''§ 2521. Advisory Board on Women in the Coast Guard

''(a) IN GENERAL.—The Commandant shall establish within the Coast Guard an Advisory Board on Women in the Coast Guard.

''(b) MEMBERSHIP.—The Advisory Board established under subsection (a) shall be composed of such number of members as the Commandant considers appropriate, selected by the Commandant through a public selection process from among applicants for membership on the Board. The members of the Board shall, to the extent practicable, represent the diversity of the Coast Guard. The members of the Committee shall include an equal number of each of the following:

''(1) Active duty officers of the Coast Guard.

''(2) Active duty enlisted members of the Coast Guard.

''(3) Members of the Coast Guard Reserve.

''(4) Retired members of the Coast Guard.

''(c) DUTIES.—The Advisory Board established under subsection (a)—

''(1) shall advise the Commandant on improvements to the recruitment, retention, wellbeing, and success of women serving in the Coast Guard and attending the Coast Guard Academy, including recommendations for the report on gender diversity in the Coast Guard required by section 5109 of chapter 51 of title 14;

''(2) may submit to the Commandant recommendations in connection with its duties under this subsection, including recommendations to implement the advice described in paragraph (1); and

''(3) may brief Congress on its duties under this subsection, including the advice described in paragraph (1) and any recommendations described in paragraph (2).''; and

(3) by amending the analysis for such chapter by striking the items relating to subchapter II and inserting the following:

''SUBCHAPTER II—ADVISORY BOARD ON WOMEN IN THE COAST GUARD

''2521. Advisory Board on Women in the Coast Guard.

''SUBCHAPTER III—LIGHTHOUSE SERVICE

''2531. Personnel of former Lighthouse Service.''.

(d) RECURRING REPORT.—

(1) IN GENERAL.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''§ 5109. Report on gender diversity in the Coast Guard

''(a) IN GENERAL.—Not later than January 15, 2022, and biennially thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on gender diversity in the Coast Guard.

''(b) CONTENTS.—The report required under subsection (a) shall contain the following:

''(1) GENDER DIVERSITY OVERVIEW.—An overview of Coast Guard active duty and reserve members, including the number of officers and enlisted members and the percentages of men and women in each.

''(2) RECRUITMENT AND RETENTION.—

''(A) An analysis of the changes in the recruitment and retention of women over the previous 2 years.

''(B) A discussion of any changes to Coast Guard recruitment and retention over the previous 2 years that were aimed at increasing the recruitment and retention of female members.

''(3) PARENTAL LEAVE.—

''(A) The number of men and women who took parental leave during each year covered by the report, including the average length of such leave periods.

''(B) A discussion of the ways in which the Coast Guard worked to mitigate the impacts of parental leave on Coast Guard operations and on the careers of the members taking such leave.

''(4) LIMITATIONS.—An analysis of current gender-based limitations on Coast Guard career opportunities, including discussion of—

''(A) shipboard opportunities;

''(B) opportunities to serve at remote units; and

''(C) any other limitations on the opportunities of female members.

''(5) PROGRESS UPDATE.—An update on the Coast Guard's progress on the implementation of the action plan required under subsection (a) of section 2205 of the Elijah E. Cummings Coast Guard Authorization Act of 2020.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

''5109. Report on gender diversity in the Coast Guard.''.

SEC. 2206. DISPOSITION OF INFRASTRUCTURE RELATED TO E–LORAN.

Section 914 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''date'' and inserting ''later of the date of the conveyance of the properties directed under section 533(a) of the Coast Guard Authorization Act of 2016 (Public Law 114–120) or the date''; and

(B) by striking ''determination by the Secretary'' and inserting ''determination by the Secretary of Transportation under section 312(d) of title 49''; and

(2) in subsection (c), by striking paragraph (2) and inserting the following:

''(2) AVAILABILITY OF PROCEEDS.—The proceeds of such sales, less the costs of sale incurred by the General Services Administration, shall be deposited into the Coast Guard Housing Fund for uses authorized under section 2946 of this title.''.

SEC. 2207. POSITIONS OF IMPORTANCE AND RESPONSIBILITY.

Section 2103(c)(3) of title 14, United States Code, is amended by striking ''rear admiral (lower half)'' and inserting ''vice admiral''.

SEC. 2208. RESEARCH PROJECTS; TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''§ 719. Research projects; transactions other than contracts and grants

''(a) ADDITIONAL FORMS OF TRANSACTIONS AUTHORIZED.—

''(1) IN GENERAL.—The Commandant may enter into—

''(A) transactions (other than contracts, cooperative agreements, and grants) in carrying out basic, applied, and advanced research projects; and

''(B) agreements with the Director of the Defense Advanced Research Projects Agency, the Secretary of a military department, or any other official designated by the Secretary of Defense under section 2371b of title 10 to participate in prototype projects and follow-on production contracts or transactions that are being carried out by such official and are directly relevant to the Coast Guard's cyber capability and Command, Control, Communications, Computers, and intelligence initiatives.

''(2) ADDITIONAL AUTHORITY.—The authority under this subsection is in addition to the authority provided in section 717 to use contracts, cooperative agreements, and grants in carrying out such projects.

''(3) FUNDING.—In carrying out paragraph (1)(B), the Commandant may use funds made available for—

''(A) operations and support;

''(B) research, development, test, and evaluation; and

''(C) procurement, construction, and improvement.

''(b) ADVANCE PAYMENTS.—The authority under subsection (a) may be exercised without regard to section 3324 of title 31.

''(c) RECOVERY OF FUNDS.—

''(1) IN GENERAL.—Subject to subsection (d), a cooperative agreement for performance of basic, applied, or advanced research authorized by section 717, and a transaction authorized by subsection (a), may include a clause that requires a person or other entity to make payments to the Coast Guard or any other department or agency of the Federal Government as a condition for receiving support under the agreement or transaction, respectively.

''(2) AVAILABILITY OF FUNDS.—The amount of any payment received by the Federal Government pursuant to a requirement imposed under paragraph (1) may be credited, to the extent authorized by the Commandant, to an appropriate appropriations account. Amounts so credited shall be merged with other funds in the account and shall be available for the same purposes and the same period for which other funds in such account are available.

''(d) CONDITIONS.—

''(1) IN GENERAL.—The Commandant shall ensure that to the extent that the Commandant determines practicable, no cooperative agreement containing a clause described in subsection (c)(1), and no transaction entered into under subsection (a), provides for research that duplicates research being conducted under existing programs carried out by the Coast Guard.

''(2) OTHER AGREEMENTS NOT FEASIBLE.—A cooperative agreement containing a clause described in subsection (c)(1), or under a transaction authorized by subsection (a), may be used for a research project only if the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate.

''(e) EDUCATION AND TRAINING.—The Commandant shall—

''(1) ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section or other innovative forms of contracting are afforded opportunities for adequate education and training; and

''(2) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

''(f) PROTECTION OF CERTAIN INFORMATION FROM DISCLOSURE.—

''(1) IN GENERAL.—Disclosure of information described in paragraph (2) is not required, and may not be compelled, under section 552 of title 5 for 5 years after the date on which the information is received by the Coast Guard.

''(2) LIMITATION.—

''(A) IN GENERAL.—Paragraph (1) applies to information described in subparagraph (B) that is in the records of the Coast Guard only if the information was submitted to the Coast Guard in a competitive or noncompetitive process having the potential for resulting in an award, to the party submitting the information, of a cooperative agreement for performance of basic, applied, or advanced research authorized by section 717 or another transaction authorized by subsection (a).

''(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is the following:

''(i) A proposal, proposal abstract, and supporting documents.

''(ii) A business plan submitted on a confidential basis.

''(iii) Technical information submitted on a confidential basis.

''(g) REGULATIONS.—The Commandant shall prescribe regulations, as necessary, to carry out this section.

''(h) ANNUAL REPORT.—On the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations and Commerce, Science, and Transportation of the Senate a report describing each use of the authority provided under this section during the most recently completed fiscal year, including details of each use consisting of—

''(1) the amount of each transaction;

''(2) the entities or organizations involved;

''(3) the product or service received;

''(4) the research project for which the product or service was required; and

''(5) the extent of the cost sharing among Federal Government and non-Federal sources.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''719. Research projects; transactions other than contracts and grants.''.

SEC. 2209. ACQUISITION WORKFORCE AUTHORITIES.

(a) IN GENERAL.—Subchapter I of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

''§ 1111. Acquisition workforce authorities

''(a) EXPEDITED HIRING AUTHORITY.—

''(1) IN GENERAL.—For the purposes of section 3304 of title 5, the Commandant may—

''(A) designate any category of acquisition positions within the Coast Guard as shortage category positions; and

''(B) use the authorities in such section to recruit and appoint highly qualified persons directly to positions so designated.

''(2) REPORTS.—The Commandant shall include in reports under section 1102 information described in such section regarding positions designated under this subsection.

''(b) REEMPLOYMENT AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes employed in any category of acquisition positions designated by the Commandant under subsection (a), the annuity of the annuitant so employed shall continue. The annuitant so reemployed shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5.

''(2)(A) ELECTION.—An annuitant retired under section 8336(d)(1) or 8414(b)(1)(A) of title 5, receiving an annuity from the Civil Service Retirement and Disability Fund, who becomes employed in any category of acquisition positions designated by the Commandant under subsection (a) after the date of the enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, may elect to be subject to section 8344 or 8468 of such title (as the case may be).

''(i) DEADLINE.—An election for coverage under this subsection shall be filed not later than 90 days after the Commandant takes reasonable actions to notify an employee who may file an election.

''(ii) COVERAGE.—If an employee files an election under this subsection, coverage shall be effective beginning on the first day of the first applicable pay period beginning on or after the date of the filing of the election.

''(B) APPLICATION.—Paragraph (1) shall apply to an individual who is eligible to file an election under subparagraph (A) and does not file a timely election under clause (i) of such subparagraph.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

''1111. Acquisition workforce authorities.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is repealed.

SEC. 2210. VESSEL CONVERSION, ALTERATION, AND REPAIR PROJECTS.

(a) IN GENERAL.—Notwithstanding any provision of the Small Business Act (15 U.S.C. 631 et seq.) and any regulation or policy implementing such Act, the Commandant may use full and open competitive procedures, as prescribed in section 2304 of title 10, United States Code, to acquire maintenance and repair services for vessels with a homeport in Coast Guard District 17.

(b) APPLICABILITY.—Subsection (a) shall apply only if there are not at least 2 qualified small businesses located in Coast Guard District 17 that are able and available to provide the services described in such subsection.

(c) LIMITATION.—The full and open competitive procedures described in subsection (a) may only be used to acquire such services from a business located in Coast Guard District 17 that is able and available to provide such services.

SEC. 2211. MODIFICATION OF ACQUISITION PROCESS AND PROCEDURES.

(a) EXTRAORDINARY RELIEF.—

(1) IN GENERAL.—Subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:

''§ 1157. Extraordinary relief

''(a) IN GENERAL.—With respect to any prime contracting entity receiving extraordinary relief pursuant to the Act entitled 'An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense', approved August 28, 1958 (Public Law 85–804; 50 U.S.C. 1432 et seq.) for a major acquisition, the Secretary shall not consider any further request by the prime contracting entity for extraordinary relief under such Act for such major acquisition.

''(b) INAPPLICABILITY TO SUBCONTRACTORS.—The limitation under subsection (a) shall not apply to subcontractors of a prime contracting entity.

''(c) QUARTERLY REPORT.—Not less frequently than quarterly during each fiscal year in which extraordinary relief is approved or provided to an entity under the Act referred to in subsection (a) for the acquisition of Offshore Patrol Cutters, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes in detail such relief and the compliance of the entity with the oversight measures required as a condition of receiving such relief.''.

(3) ANALYSIS FOR CHAPTER 11.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 1156 the following:

''1157. Extraordinary relief.''.

(b) NOTICE TO CONGRESS WITH RESPECT TO BREACH OF CONTRACT.—Section 1135 of title 14, United States Code, is amended by adding at the end the following:

''(d) NOTICE TO CONGRESS WITH RESPECT TO BREACH OF CONTRACT.—Not later than 48 hours after the Commandant becomes aware that a major acquisition contract cannot be carried out under the terms specified in the contract, the Commandant shall provide a written notification to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

''(1) a description of the terms of the contract that cannot be met; and

''(2) an assessment of whether the applicable contract officer has issued a cease and desist order to the contractor based on the breach of such terms of the contract.''.

SEC. 2212. ESTABLISHMENT AND PURPOSE OF FUND; DEFINITION.

Section 1461(a) of title 10, United States Code, is amended by inserting ''and the Coast Guard'' after ''liabilities of the Department of Defense''.

SEC. 2213. PAYMENTS FROM FUND.

Section 1463(a) of title 10, United States Code, is amended—

(1) in paragraph (1) by striking ''and Marine Corps'' and inserting ''Marine Corps, and Coast Guard'';

(2) in paragraph (2) by striking ''(other than retired pay payable by the Secretary of Homeland Security)''; and

(3) in paragraph (4) by inserting ''and the Department of Homeland Security that'' after ''Department of Defense''.

SEC. 2214. DETERMINATION OF CONTRIBUTIONS TO FUND.

Section 1465 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(a) NOT'' and inserting the following:

''(a)(1) Not''; and

(B) by adding at the end the following:

''(2) Not later than October 1, 2022, the Board of Actuaries shall determine the amount that is the present value (as of September 30, 2022) of future benefits payable from the Fund that are attributable to service in the Coast Guard performed before October 1, 2022. That amount is the original Coast Guard unfunded liability of the Fund. The Board shall determine the period of time over which the original Coast Guard unfunded liability should be liquidated and shall determine an amortization schedule for the liquidation of such liability over that period. Contributions to the Fund for the liquidation of the original Coast Guard unfunded liability in accordance with such schedule shall be made as provided in section 1466(b) of this title.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting '', in consultation with the Secretary of the department in which the Coast Guard is operating,'' after ''Secretary of Defense'' ; and

(II) by inserting ''and Coast Guard'' after ''Department of Defense'';

(ii) in subparagraph (A)(ii) by striking ''(other than the Coast Guard)'' and inserting ''members of the Armed Forces''; and

(iii) in subparagraph (B)(ii) by striking ''(other than the Coast Guard)'';

(B) in paragraph (2) by inserting ''the Coast Guard Retired Pay account and the'' after ''appropriated to''; and

(C) in paragraph (3) by inserting ''and Coast Guard'' after ''Department of Defense'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by inserting '', in consultation with the Secretary of the department in which the Coast Guard is operating,'' after ''Secretary of Defense'';

(ii) in subparagraph (A) by striking ''(other than the Coast Guard)'' and inserting ''members of the Armed Forces'';

(iii) in subparagraph (B) by striking ''(other than the Coast Guard)'';

(B) in paragraph (2) by inserting '', in consultation with the Secretary of the department in which the Coast Guard is operating,'' after ''Secretary of Defense'';

(C) in paragraph (3) by inserting '', in consultation with the Secretary of the department in which the Coast Guard is operating,'' after ''Secretary of Defense'';

(4) in subsection (e) by striking ''Secretary of Defense shall'' and inserting ''Secretary of Defense and, with regard to the Coast Guard, the Secretary of the department in which the Coast Guard is operating''.

SEC. 2215. PAYMENTS INTO FUND.

Section 1466 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Secretary of Defense shall'' and inserting ''Secretary of Defense and the Secretary of the department in which the Coast Guard is operating, with respect to the Coast guard, shall''; and

(ii) by striking ''each month as the Department of Defense contribution'' and inserting ''each month the respective pro rata share contribution of the Secretary of Defense and the Secretary of the department in which the Coast Guard is operating''; and

(B) in paragraph (1)(B) by striking ''(other than the Coast Guard)''; and

(C) by striking the flush language following paragraph (1)(B) and inserting the following new subsection:

''(b) Amounts paid into the Fund under this subsection shall be paid from funds available for as appropriate—

''(1) the pay of members of the armed forces under the jurisdiction of the Secretary of a military department; or

''(2) the Retired Pay appropriation for the Coast Guard.'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) in subsection (c) (as so redesignated)—

(A) in paragraph (2)(A) by striking ''liability of the Fund.'' and inserting ''liabilities of the Fund for the Department of Defense and the Coast Guard.''; and

(B) in paragraph (3) by inserting ''and the Secretary of the Department in which the Coast Guard is operating'' before ''shall promptly''.

Subtitle C—Access to Child Care for Coast Guard Families

SEC. 2301. REPORT ON CHILD CARE AND SCHOOL-AGE CARE ASSISTANCE FOR QUALIFIED FAMILIES.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on child care and school-age care options available to qualified families.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) FINANCIAL ASSISTANCE.—

(A) An assessment of—

(i) the subsidies and financial assistance for child care and school-age care made available by the Coast Guard to qualified families; and

(ii) the extent to which qualified families have taken advantage of such subsidies and assistance.

(B) The average number of days between—

(i) the date on which an application for a subsidy or other financial assistance for child care or school-age care is submitted by a qualified family; and

(ii) upon approval of an application, the date on which such subsidy or assistance is received by the qualified family.

(C) Recommendations for streamlining the payment of such subsidies and financial assistance.

(D) The amount of funding allocated to such subsidies and financial assistance.

(E) The remaining costs for child care or school-age care to qualified families that are not covered by the Coast Guard.

(F) A description of barriers to access to such subsidies and financial assistance.

(G) The number of qualified families that do not receive any such subsidies or financial assistance.

(2) REGULATION OF CHILD CARE SERVICES.—

(A) An assessment of—

(i) the regulations of States with respect to child care services (such as staffing, space and furnishings, safety, curriculum requirements, and allowable care hours); and

(ii) the effect that differences in such regulations may have on access to child care for qualified families.

(B) An assessment of—

(i) the regulations of the Coast Guard and the Department of Defense with respect to child development centers and other child care providers (including school-age care providers), and a comparison of such regulations with similar State regulations; and

(ii) the effect that such regulations may have on access to child care and school-age care for qualified families.

(C) The number of qualified families, and children, that do not have access to a Coast Guard child development center for child care.

(3) PARITY WITH DEPARTMENT OF DEFENSE.—The differences between child care and school-age care services offered by the Coast Guard and child care and school-age care authorities of the Coast Guard and the Department of Defense relating to the following:

(A) Authorized uses of appropriated funds for child care and school-age care services.

(B) Access to, and total capacity of, Coast Guard child development centers and Department of Defense child development centers.

(C) Child care and school-age care programs or policy.

(D) Coast Guard and Department of Defense programs to provide additional assistance to members and civilian employees with respect to child care and school-age care options.

(E) Respite care programs.

(F) Nonappropriated funds.

(G) Coast Guard family child care centers.

(H) Coast Guard and Department of Defense publicly available online resources for families seeking military child care and school-age care.

(4) FEASIBILITY.—An analysis of the feasibility of the Commandant entering into agreements with private child care and school-age care service providers to provide child care and school-age care for qualified families.

(5) AVAILABILITY.—An analysis of the availability of child care and school-age care for qualified families, including accessibility after normal work hours, proximity, and total capacity.

(6) RECOMMENDATIONS.—Recommendations—

(A) to improve access to child care and school-age care for qualified families;

(B) to ensure parity between the Coast Guard and the Department of Defense with respect to child care and school-age care;

(C) to expand access to child care and school-age care for all qualified families, including qualified families that have a child with special needs; and

(D) to ensure that regional child care and child development center needs at the unit, sector, or district level are identified, assessed, and reasonably evaluated by the Commandant for future infrastructure needs.

(7) OTHER MATTERS.—A description or analysis of any other matter the Comptroller General considers relevant to the improvement of expanded access to child care and school-age care for qualified families.

SEC. 2302. REVIEW OF FAMILY SUPPORT SERVICES WEBSITE AND ONLINE TRACKING SYSTEM.

(a) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—The Commandant shall enter into a memorandum of understanding with the Secretary of Defense to enable qualified families to access the website at https://militarychildcare.com (or a successor website) for purposes of Coast Guard family access to information with respect to State-accredited child development centers and other child care support services as such services become available from the Department of Defense through such website. The memorandum shall provide for the expansion of the geographical areas covered by such website, including regions in which qualified families live that are not yet covered by the program.

(2) INCLUSION OF CHILD DEVELOPMENT CENTERS ACCESSIBLE UNDER PILOT PROGRAM.—The

information accessible pursuant to the memorandum of understanding required by paragraph (1) shall include information with respect to any child development center accessible pursuant to the pilot program under section 2304.

(3) ELECTRONIC REGISTRATION, PAYMENT, AND TRACKING SYSTEM.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall develop and maintain an internet website of the Coast Guard accessible to qualified families to carry out the following activities:

(A) Register children for a Coast Guard child development center.

(B) Make online child care payments to a Coast Guard child development center.

(C) Track the status of a child on the wait list of a Coast Guard child development center, including the placement and position of the child on the wait list.

(b) WAIT LIST.—

(1) IN GENERAL.—The Commandant shall maintain a record of the wait list for each Coast Guard child development center.

(2) MATTERS TO BE INCLUDED.—Each record under paragraph (1) shall include the following:

(A) The total number of children of qualified families on the wait list.

(B) With respect to each child on the wait list—

(i) the age of the child;

(ii) the number of days the child has been on the wait list;

(iii) the position of the child on the wait list;

(iv) any special needs consideration; and

(v) information on whether a sibling of the child is on the wait list of, or currently enrolled in, the Coast Guard child development center concerned.

(3) REQUIREMENT TO ARCHIVE.—Information placed in the record of a Coast Guard child development center under paragraph (1) shall be archived for a period of not less than 10 years after the date of its placement in the record.

SEC. 2303. STUDY AND SURVEY ON COAST GUARD CHILD CARE NEEDS.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and for each of the 2 fiscal years thereafter, the Commandant shall conduct a study on the child care needs of qualified families that incorporates—

(A) the results of the survey under subsection (b); and

(B) any other information the Commandant considers appropriate to ensure adequate tracking and future needs-based assessments with respect to adequate access to Coast Guard child development centers.

(2) CONSULTATION.—In conducting a study under paragraph (1), the Commandant may consult a federally funded research and development center.

(3) SCOPE OF DATA.—The data obtained through each study under paragraph (1) shall be obtained on a regional basis, including by Coast Guard unit, sector, and district.

(b) SURVEY.—

(1) IN GENERAL.—Together with each study under subsection (a), and annually as the Commandant considers appropriate, the Commandant shall carry out a survey of individuals described in paragraph (2) on access to Coast Guard child development centers.

(2) PARTICIPANTS.—

(A) IN GENERAL.—The Commandant shall seek the participation in the survey of the following Coast Guard individuals:

(i) Commanding officers, regardless of whether the commanding officers have children.

(ii) Regular and reserve personnel.

(iii) Spouses of individuals described in clauses (i) and (ii).

(B) SCOPE OF PARTICIPATION.—Individuals described in clauses (i) through (iii) of subparagraph (A) shall be surveyed regardless of whether such individuals use or have access to Coast Guard child development centers or other Federal child care facilities.

(C) VOLUNTARY PARTICIPATION.—Participation of any individual described in subparagraph (A) in a survey shall be on a voluntary basis.

(c) AVAILABILITY.—On request, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the results of any study or survey under this section.

SEC. 2304. PILOT PROGRAM TO EXPAND ACCESS TO CHILD CARE.

(a) IN GENERAL.—Commencing not later than 60 days after the date on which the report under section 2301 is submitted, the Commandant shall carry out a pilot program, based on the recommendations provided in such report, to expand access to public or private child development centers for qualified families.

(b) DURATION.—The duration of the pilot program under subsection (a) shall be not more than 3 years beginning on the date on which the pilot program is established.

(c) DISCHARGE ON DISTRICT BASIS.—The Commandant—

(1) may carry out the pilot program on a district basis; and

(2) shall include in the pilot program remote and urban locations.

(d) RESERVATION OF CHILD CARE SLOTS.—As part of the pilot program, the Commandant shall seek to enter into one or more memoranda of understanding with one or more child development centers to reserve slots for qualified families in locations in which—

(1) the Coast Guard lacks a Coast Guard child development center; or

(2) the wait lists for the nearest Coast Guard child development center or Department of Defense child development center, where applicable, indicate that qualified families may not be accommodated.

(e) ANNUAL ASSESSMENT OF RESULTS.—As part of any study conducted pursuant to section 2303(a) after the end of the 1-year period beginning with the commencement of the pilot program, the Commandant shall also undertake a current assessment of the impact of the pilot program on access to child development centers for qualified families. The Commandant shall include the results of any such assessment in the results of the most current study or survey submitted pursuant to section 2303(a).

SEC. 2305. IMPROVEMENTS TO COAST GUARD-OWNED FAMILY HOUSING.

Section 2922(b) of title 14, United States Code, is amended by adding at the end the following:

''(4) To the maximum extent practicable, the Commandant shall ensure that, in a location in which Coast Guard family child care centers (as such term is defined in section 2309 of the Elijah E. Cummings Coast Guard Authorization Act of 2020) are necessary to meet the demand for child care for qualified families (as such term is defined in such section), not fewer than two housing units are maintained in accordance with safety inspection standards so as to accommodate family child care providers.''.

SEC. 2306. BRIEFING ON TRANSFER OF FAMILY CHILD CARE PROVIDER QUALIFICATIONS AND CERTIFICATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the feasibility of developing a policy to allow the transfer of a Coast Guard-mandated family child care provider qualification or certification between Coast Guard-owned housing units if, as determined by the Commandant—

(1) the qualification or certification is not expired;

(2) the transfer of the qualification or certification would not pose a danger to any child in the care of the family child care provider; and

(3) the transfer would expedite the ability of the family child care provider to establish, administer, and provide family home daycare in a Coast Guard-owned housing unit.

(b) BRIEFING ELEMENT.—The briefing required by subsection (a) shall include analysis of options for transferring a Coast Guard-mandated family child care provider qualification or certification as described in that subsection, and of any legal challenges associated with such transfer.

(c) RULE OF CONSTRUCTION.—The policy under subsection (a) shall not be construed to supersede any other applicable Federal, State, or local law (including regulations) relating to the provision of child care services.

SEC. 2307. INSPECTIONS OF COAST GUARD CHILD DEVELOPMENT CENTERS AND FAMILY CHILD CARE PROVIDERS.

(a) INSPECTIONS.—Section 2923 of title 14, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) INSPECTIONS.—

''(1) IN GENERAL.—Not less than twice annually, the Commandant shall ensure that each Coast Guard child development center is subject to an unannounced inspection.

''(2) RESPONSIBILITY FOR INSPECTIONS.—Of the biannual inspections under paragraph (1)—

''(A) 1 shall be carried out by a representative of the Coast Guard installation served by the Coast Guard child development center concerned; and

''(B) 1 shall be carried out by a representative of the Coast Guard child development services work-life programs.''.

(b) FAMILY CHILD CARE PROVIDERS.—

(1) IN GENERAL.—Chapter 29 of title 14, United States Code, is amended by adding at the end the following:

''§ 2926. Family child care providers

''(a) IN GENERAL.—Not less frequently than quarterly, the Commandant shall ensure that each family child care provider is subject to inspection.

''(b) RESPONSIBILITY FOR INSPECTIONS.—Of the quarterly inspections under subsection (a) each year—

''(1) 3 inspections shall be carried out by a representative of the Coast Guard installation served by the family child care provider concerned; and

''(2) 1 inspection shall be carried out by a representative of the Coast Guard child development services work-life programs.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 29 of title 14, United States Code, is amended by adding at the end the following:

''2926. Family child care providers.''.

SEC. 2308. EXPANDING OPPORTUNITIES FOR FAMILY CHILD CARE.

Not later than 1 year after the date of the enactment of this Act, the Commandant shall—

(1) establish a procedure to allow Coast Guard family child care centers to occur at off-base housing, including off-base housing owned or subsidized by the Coast Guard; and

(2) establish a procedure to ensure that all requirements with respect to such family

child care programs are met, including home inspections.

SEC. 2309. DEFINITIONS.

In this subtitle:

(1) COAST GUARD CHILD DEVELOPMENT CENTER.—The term ''Coast Guard child development center'' has the meaning given that term in section 2921(3) of title 14, United States Code.

(2) COAST GUARD FAMILY CHILD CARE CENTER.—The term ''Coast Guard family child care center'' means a location at which family home daycare is provided.

(3) FAMILY CHILD CARE PROVIDER.—The term ''family child care provider'' means an individual who provides family home daycare.

(4) FAMILY HOME DAYCARE.—The term ''family home daycare'' has the meaning given that term in section 2921(5) of title 14, United States Code.

(5) QUALIFIED FAMILY.—The term ''qualified family'' means any regular, reserve, or retired member of the Coast Guard, and any civilian employee of the Coast Guard, with one or more dependents.

Subtitle D—Reports

SEC. 2401. MODIFICATIONS OF CERTAIN REPORTING REQUIREMENTS.

(a) ESPECIALLY HAZARDOUS CARGO.—Subsection (e) of section 70103 of title 46, United States Code, is amended to read as follows:

''(e) ESPECIALLY HAZARDOUS CARGO.—

''(1) ENFORCEMENT OF SECURITY ZONES.—Consistent with other provisions of Federal law, the Coast Guard shall coordinate and be responsible for the enforcement of any Federal security zone established by the Coast Guard around a vessel containing especially hazardous cargo. The Coast Guard shall allocate available resources so as to deter and respond to a transportation security incident, to the maximum extent practicable, and to protect lives or protect property in danger.

''(2) ESPECIALLY HAZARDOUS CARGO DEFINED.—In this subsection, the term 'especially hazardous cargo' means anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas, liquefied petroleum gas, and any other substance, material, or group or class of material, in a particular amount and form that the Secretary determines by regulation poses a significant risk of creating a transportation security incident while being transported in maritime commerce.''.

(b) COMPLIANCE WITH SECURITY STANDARDS.—Section 809 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 46 U.S.C. 70101 note) is amended by striking subsections (g) and (i).

(c) MARINE SAFETY LONG-TERM STRATEGY.—Section 2116 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''The strategy shall include the issuance of a triennial plan'' and inserting ''The 5-year strategy shall include the issuance of a plan'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''CONTENTS OF STRATEGY AND TRIENNIAL PLANS'' and inserting ''5–YEAR STRATEGY AND PLAN'';

(B) in paragraph (1), in the matter preceding subparagraph (A), by striking ''strategy and triennial plans'' and inserting ''5-year strategy and plan''; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''strategy and triennial plans'' and inserting ''5-year strategy and plan''; and

(ii) in subparagraph (A), by striking ''plans'' and inserting ''plan'';

(3) in subsection (c)—

(A) by striking ''Beginning with fiscal year 2020 and triennially thereafter, the Secretary'' and inserting ''Not later than 5 years after the date of the enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, and every 5 years thereafter, the Secretary''; and

(B) by striking ''triennial''; and

(4) in subsection (d)—

(A) in paragraph (1), by striking ''No less frequently than semiannually'' and inserting ''In conjunction with the submission of the 5-year strategy and plan''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''REPORT TO CONGRESS'' and inserting ''PERIODIC BRIEFINGS'';

(ii) in the matter preceding subparagraph (A), by striking ''report triennially'' and all that follows through ''the Senate'' and inserting ''periodically brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives'';

(iii) in subparagraph (A)—

(I) by striking ''annual''; and

(II) by striking ''for the year covered by the report'' and inserting ''for the period covered by the briefing''; and

(iv) in subparagraph (B)(ii), by striking ''plans'' and inserting ''plan''.

(d) ABANDONED SEAFARERS FUND.—Section 11113(a) of title 46, United States Code, is amended—

(1) in paragraph (4), by striking ''On the date'' and inserting ''Except as provided in paragraph (5), on the date''; and

(2) by adding at the end the following:

''(5) NO REPORT REQUIRED.—A report under paragraph (4) shall not be required if there were no expenditures from the Fund in the preceding fiscal year. The Commandant shall notify Congress in the event a report is not required under paragraph (4) by reason of this paragraph.''.

(e) MAJOR ACQUISITION PROGRAM RISK ASSESSMENT.—Section 5107 of title 14, United States Code, is amended—

(1) in subsection (a), by striking ''April 15 and October 15'' and inserting ''October 15''; and

(2) in subsection (b)—

(A) in paragraph (2), by striking ''the 2 fiscal-year quarters preceding such assessment'' and inserting ''the previous fiscal year'';

(B) in paragraph (3), by striking ''such 2 fiscal-year quarters'' and inserting ''such fiscal year'';

(C) in paragraph (4), by striking ''such 2 fiscal-year quarters'' and inserting ''such fiscal year''; and

(D) in paragraph (5), by striking ''such 2 fiscal-year quarters'' and inserting ''such fiscal year''.

SEC. 2402. REPORT ON CYBERSECURITY WORKFORCE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on how the Coast Guard plans to establish a workforce with the cybersecurity expertise to provide prevention assessments and response capacity to Operational Technology and Industrial Control Systems in national port and maritime environments.

(b) CONTENTS.—The report under subsection (a) shall include the following:

(1) A description of the number and skills of active duty and reserve Coast Guard members expected for initial operating capacity and full operating capacity of the workforce described in subsection (a).

(2) A description of the career development path for officers and enlisted members participating in the workforce.

(3) A determination of how the workforce will fulfill the cybersecurity needs of the Area Maritime Security Council and United States port environments.

(4) A determination of how the workforce will integrate with the Hunt and Incident Response and Assessment Teams of the Cyber and Infrastructure Security Agency of the Department of Homeland Security.

(5) An assessment of successful models used by other Armed Forces, including the National Guard, to recruit, maintain, and utilize a cyber workforce, including the use of Reserve personnel for that purpose.

SEC. 2403. REPORT ON NAVIGATION AND BRIDGE RESOURCE MANAGEMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the training and qualification processes of the Coast Guard for deck watch officers, with a specific focus on basic navigation, bridge resource management, crew rest, and qualification processes.

(b) CONTENTS.—The report under subsection (a) shall include the following:

(1) Recommendations for improving prearrival training, if necessary, and an assessment of how commercial industry best practices on prearrival training can be incorporated into military at sea watchkeeping.

(2) A detailed description of the deck watch officer assessment process of the Coast Guard.

(3) A list of programs that have been approved for credit toward merchant mariner credentials.

(4) A complete analysis of the gap between the existing curriculum for deck watch officer training and the Standards of Training, Certification, and Watchkeeping for officer in charge of a navigational watch at the operational level, Chief level, and Master level.

(5) A complete analysis of the gap between the existing training curriculum for deck watch officers and the licensing requirement for 3rd mate unlimited, Chief, and Master.

(6) An assessment of deck watch officer options to complete the 3rd mate unlimited license and the qualification under the Standards of Training, Certification, and Watchkeeping for officer in charge of a navigational watch.

(7) An assessment of senior deck watch officer options to complete the Chief Mate and Master unlimited license and the qualification under the Standards of Training, Certification, and Watchkeeping for Chief Mate and Master.

SEC. 2404. REPORT ON HELICOPTER LIFE-CYCLE SUPPORT AND RECAPITALIZATION.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) includes an updated fleet life-cycle analysis and service life extension plan that includes dynamic components, and which clearly demonstrates the mission viability of the MH–65 through anticipated fleet recapitalization;

(2) includes a realistic sustainment budget necessary to achieve the operational availability rates necessary to meet MH–65 mission requirements through fleet recapitalization;

(3) includes an update on the status of the Coast Guard MH–65 helicopter recapitalization; and

(4) includes a description of any alternative, available, and cost-effective Government and civil systems, or updates, that the Coast Guard is considering for MH–65 operational missions, including Coast Guard cutter deployability requirements, in the event of delays to the future vertical lift program of the Coast Guard.

SEC. 2405. REPORT ON COAST GUARD RESPONSE CAPABILITIES FOR CYBER INCIDENTS ON VESSELS ENTERING PORTS OR WATERS OF THE UNITED STATES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the response capabilities of the Coast Guard with respect to cyber incidents on vessels entering ports or waters of the United States.

(b) REVIEW.—The report under subsection (a) shall include a review of each of the following:

(1) The number and type of commercial vessels of the United States subject to regulations under part 104 of title 33, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(2) Policies and guidance issued by the Commandant, in accordance with guidelines on cyber risk management of the International Maritime Organization, to vessels of the United States.

(3) Measures to be taken by owners or operators of commercial vessels of the United States to increase cybersecurity posture on such vessels.

(4) Responses of the Commandant to cyber incidents on vessels described in paragraph (1) prior to the date of the enactment of this Act.

(5) Response protocols followed by personnel of the Coast Guard to a cyber incident on any vessel described in paragraph (1) experienced while that vessel is traveling to ports or waters of the United States.

(6) Oversight by the Commandant of—

(A) vessel-to-facility interface, as defined in section 101.105 of title 33, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

(B) actions taken by the Coast Guard in coordination with vessel and facility owners and operators to protect commercial vessels and port facility infrastructure from cyber attacks and proliferation.

(7) Requirements of the Commandant for the reporting of cyber incidents that occur on the vessels described in paragraph (1).

(c) RECOMMENDATIONS AND APPROPRIATIONS.—The Commandant shall include in the report under subsection (a)—

(1) recommendations—

(A) to improve cyber incident response; and

(B) for policies to address gaps identified by the review under subsection (b); and

(2) a description of authorities and appropriations necessary to improve the preparedness of the Coast Guard for cyber incidents on vessels entering ports or waters of the United States and the ability of the Coast Guard to prevent and respond to such incidents.

(d) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(e) VESSEL OF THE UNITED STATES DEFINED.—In this section, the term ''vessel of the United States'' has the meaning given such term in section 116 of title 46, United States Code.

SEC. 2406. STUDY AND REPORT ON COAST GUARD INTERDICTION OF ILLICIT DRUGS IN TRANSIT ZONES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Coast Guard seizes an average of 1,221 pounds of cocaine and 85 pounds of marijuana each day in the transit zones of the Eastern Pacific Ocean, Caribbean Sea, and Southern maritime border approaches.

(2) The Joint Interagency Task Force–South (JIATF–South) estimates that it has a spectrum of actionable intelligence on more than 80 percent of drug movements into the United States from Central America and South America.

(3) The Coast Guard must balance asset allocation across 11 statutory missions. As such, the Coast Guard interdicts less than 10 percent of maritime noncommercial smuggling of illicit drugs into the United States from Central America and South America.

(4) In 2017, the Government Accountability Office recommended that the Commandant of the Coast Guard—

(A) develop new performance goals relating to the interdiction of illicit drugs smuggled into the United States, or describe the manner in which existing goals are sufficient;

(B) report such goals to the public;

(C) assess the extent to which limitations in performance data with respect to such goals are documented;

(D) document measurable corrective actions and implementation timeframes with respect to such goals; and

(E) document efforts to monitor implementation of such corrective actions.

(b) STUDY.—The Secretary of the Department in which the Coast Guard is operating, in coordination with the Secretary of Defense and the heads of other relevant Federal agencies, shall conduct a study in order to identify gaps in resources that contribute to low interdiction rates for maritime noncommercial smuggling of illicit drugs into the United States from Central America and South America despite having actionable intelligence on more than 80 percent of drug movements in the transit zones of the Eastern Pacific Ocean, Caribbean Sea, and Southern maritime border approaches.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study under subsection (b). Such report shall include—

(1) a statement of the Coast Guard mission requirements for drug interdiction in the Caribbean basin;

(2) the number of maritime surveillance hours and Coast Guard assets used in each of fiscal years 2017 through 2019 to counter the illicit trafficking of drugs and other related threats throughout the Caribbean basin; and

(3) a determination of whether such hours and assets satisfied the Coast Guard mission requirements for drug interdiction in the Caribbean basin.

(d) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 2407. REPORT ON LIABILITY LIMITS SET IN SECTION 1004 OF THE OIL POLLUTION ACT OF 1990.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the following:

(1) Each liability limit set under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704), including the statutory or regulatory authority establishing such limit.

(2) If the Commandant determines that any liability limit listed in such section should be modified—

(A) a description of the modification;

(B) a justification for such modification; and

(C) a recommendation for legislative or regulatory action to achieve such modification.

SEC. 2408. REPORT ON COAST GUARD DEFENSE READINESS RESOURCES ALLOCATION.

(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 Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the allocation of resources by the Coast Guard to support its defense readiness mission.

(b) CONTENTS.—The report required by subsection (a) shall include the following elements:

(1) Funding levels allocated by the Coast Guard to support defense readiness missions for each of the past 10 fiscal years.

(2) Funding levels transferred or otherwise provided by the Department of Defense to the Coast Guard in support of the Coast Guard's defense readiness missions for each of the past 10 fiscal years.

(3) The number of Coast Guard detachments assigned in support of the Coast Guard's defense readiness mission for each of the past 10 fiscal years.

(c) ASSESSMENT.—In addition to the elements detailed in subsection (b), the report shall include an assessment of the impacts on the Coast Guard's non-defense mission readiness and operational capabilities due to the annual levels of reimbursement provided by the Department of Defense to compensate the Coast Guard for its expenses to fulfill its defense readiness mission.

SEC. 2409. REPORT ON THE FEASIBILITY OF LIQUEFIED NATURAL GAS FUELED VESSELS.

Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the following:

(1) The feasibility, safety, and cost effectiveness of using liquefied natural gas to fuel new Coast Guard vessels.

(2) The feasibility, safety, and cost effectiveness of converting existing vessels to run on liquefied natural gas fuels.

(3) The operational feasibility of using liquefied natural gas to fuel Coast Guard vessels.

SEC. 2410. COAST GUARD AUTHORITIES STUDY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of Coast Guard authorities.

(b) ASSESSMENT.—The assessment under subsection (a) shall provide—

(1) an examination of emerging issues that may require Coast Guard oversight, regulation, or action;

(2) a description of potential limitations and shortcomings of relying on current Coast Guard authorities to address emerging issues; and

(3) an overview of adjustments and additions that could be made to existing Coast Guard authorities to fully address emerging issues.

(c) REPORT TO THE CONGRESS.—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment under this section.

(d) EMERGING ISSUES.—In this section, the term ''emerging issues'' means changes in the maritime industry and environment that in the determination of the National Academy of Sciences are reasonably likely to occur within 10 years after the date of the enactment of this Act, including—

(1) the introduction of new technologies in the maritime domain;

(2) the advent of new processes or operational activities in the maritime domain; and

(3) changes in the use of navigable waterways.

(e) FORM.—The assessment required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 2411. REPORT ON EFFECTS OF CLIMATE CHANGE ON COAST GUARD.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on vulnerabilities of Coast Guard installations and requirements resulting from climate change over the next 20 years.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A list of the 10 most vulnerable Coast Guard installations based on the effects of climate change, including rising sea tides, increased flooding, drought, desertification, wildfires, thawing permafrost, or any other categories the Commandant determines necessary.

(2) An overview of—

(A) mitigations that may be necessary to ensure the continued operational viability and to increase the resiliency of the identified vulnerable installations; and

(B) the cost of such mitigations.

(3) A discussion of the climate-change-related effects on the Coast Guard, including—

(A) the increase in the frequency of humanitarian assistance and disaster relief missions; and

(B) campaign plans, contingency plans, and operational posture of the Coast Guard.

(4) An overview of mitigations that may be necessary to ensure mission resiliency and the cost of such mitigations.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 2412. SHORE INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall—

(1) develop a plan to standardize Coast Guard facility condition assessments;

(2) establish shore infrastructure performance goals, measures, and baselines to track the effectiveness of maintenance and repair investments and provide feedback on progress made;

(3) develop a process to routinely align the Coast Guard shore infrastructure portfolio with mission needs, including disposing of unneeded assets;

(4) establish guidance for planning boards to document inputs, deliberations, and project prioritization decisions for infrastructure maintenance projects;

(5) employ models for Coast Guard infrastructure asset lines for—

(A) predicting the outcome of investments in shore infrastructure;

(B) analyzing tradeoffs; and

(C) optimizing decisions among competing investments;

(6) include supporting details about competing project alternatives and report tradeoffs in congressional budget requests and related reports; and

(7) explore the development of real property management expertise within the Coast Guard workforce, including members of the Senior Executive Service.

(b) BRIEFING.—Not later than December 31, 2020, the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the actions required under subsection (a).

SEC. 2413. COAST GUARD HOUSING; STATUS AND AUTHORITIES BRIEFING.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on Coast Guard housing, including—

(1) a description of the material condition of Coast Guard housing facilities;

(2) the amount of current Coast Guard housing construction and deferred maintenance backlogs;

(3) an overview of the manner in which the Coast Guard manages and maintains housing facilities;

(4) a discussion of whether reauthorizing housing authorities for the Coast Guard similar to those provided in section 208 of the Coast Guard Authorization Act of 1996 (Public Law 104–324); and

(5) recommendations regarding how the Congress could adjust those authorities to prevent mismanagement of Coast Guard housing facilities.

SEC. 2414. PHYSICAL ACCESS CONTROL SYSTEM REPORT.

Not later 180 days after the date of the enactment of this Act, and annually for each of the 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report regarding the status of the Coast Guard's compliance with Homeland Security Presidential Directive 12 (HSPD–12) and Federal Information Processing Standard 201 (FIPS–201), including—

(1) the status of Coast Guard efforts to field a comprehensive Physical Access Control System at Coast Guard installations and locations necessary to bring the Service into compliance with HSPD–12 and FIPS–201B;

(2) the status of the selection of a technological solution;

(3) the estimated phases and timeframe to complete the implementation of such a system; and

(4) the estimated cost for each phase of the project.

SEC. 2415. STUDY ON CERTIFICATE OF COMPLIANCE INSPECTION PROGRAM WITH RESPECT TO VESSELS THAT CARRY BULK LIQUEFIED GASES AS CARGO AND LIQUEFIED NATURAL GAS TANK VESSELS.

(a) GAO REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the resources, regulations, policies, protocols, and other actions designed to carry out the Coast Guard Certificate of Compliance program with respect to liquefied natural gas tank vessels (including examinations under section 153.808 of title 46, Code of Federal Regulations) and vessels that carry bulk liquefied gases as cargo (including examinations under part 154 of title 46, Code of Federal Regulations) for purposes of maintaining the efficiency of examinations under that program.

(2) CONTENTS.—The report under paragraph (1) shall include an assessment of the adequacy of current Coast Guard resources, regulations, policies, and protocols to maintain vessel examination efficiency while carrying out the program referred to in paragraph (1) as United States bulk liquefied gases cargo, liquefied natural gas exports, and associated vessel traffic at United States ports increase.

(b) NATIONAL ACADEMIES STUDY.—

(1) IN GENERAL.—Not later than 6 months after the date on which the report required under subsection (a) is submitted, the Commandant shall enter into an agreement with the National Academies under which the National Academies shall—

(A) conduct an evaluation of the constraints and challenges to maintaining examination efficiency under the program as United States bulk liquefied gases cargo, liquefied natural gas exports, and associated vessel traffic at United States ports increase; and

(B) issue recommendations for changes to resources, regulations, policies, and protocols to maintain the efficiency of the program, including analysis of the following alternatives:

(i) Establishment of a Coast Guard marine examination unit near the Panama Canal to conduct inspections under the program on liquefied natural gas tank vessels bound for the United States, similar to Coast Guard operations carried out by Coast Guard Activities Europe and Coast Guard Activities Far East, including the effects of the establishment of such a unit on the domestic aspects of the program.

(ii) Management of all marine examiners with gas carrier qualification within each Coast Guard District by a single Officer in Charge, Marine Inspection (as defined in section 50.10–10 of title 46, Code of Federal Regulations) to improve the efficiency of their vessel examination assignments.

(iii) Extension of the duration of assignment of marine examiners with a gas carrier qualification at Coast Guard units that most frequently inspect vessels that carry bulk liquefied gases as cargo and liquefied natural gas tank vessels.

(iv) Increase in the use of civilians to conduct and support examinations under the program.

(v) Extension of the duration of certificates of compliance under the program for vessels that carry bulk liquefied gases as cargo and liquefied natural gas tank vessels that are less than 10 years of age and participate in a Coast Guard vessel quality program.

SEC. 2416. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND REPORT ON COAST GUARD'S INTERNATIONAL PORT SECURITY PROGRAM.

(a) GAO REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of

Representatives a report setting forth the results of a comprehensive review, conducted by the Comptroller General for purposes of the report, on the Coast Guard's International Port Security Program, including the findings, and any recommendations for improvement of the program, of the Comptroller General.

(b) REQUIRED ELEMENTS OF REVIEW.—The review required under subsection (a) shall include—

(1) review of the actions of the Coast Guard under the Coast Guard's International Port Security Program, since 2014, to enhance foreign port inspections;

(2) review of the actions of the Coast Guard to recognize and monitor port inspection programs of foreign governments;

(3) identification and review of the actions the Coast Guard takes to address any deficiencies it observes during visits at foreign ports;

(4) identify and review the benchmarks of the Coast Guard for measuring the effectiveness of the program; and

(5) review of the extent to which the Coast Guard and United States Customs and Border Protection coordinate efforts to screen and inspect cargo at foreign ports.

SEC. 2417. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND REPORT ON SURGE CAPACITY OF THE COAST GUARD.

(a) GAO REPORT.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting for the results of a comprehensive review, conducted by the Comptroller General for purposes of the report, on the surge capacity of the Coast Guard to respond to a catastrophic incident (such as a hurricane), including the findings, and any recommendations for improvement, of the Comptroller General.

(b) REQUIRED ELEMENTS OF REVIEW.—The review required under subsection (a) shall include—

(1) a description and review of each Coast Guard deployment in response to a catastrophic incident after 2005;

(2) identification of best practices informed by the deployments described in paragraph (1);

(3) a review of the ability of the surge force of the Coast Guard to meet the demands of the response roles in which it was serving during each deployment described in paragraph (1);

(4) identification of any statutory or regulatory impediments, such as adaptability, planning, training, mobilization, or information and resource integration, to the surge capacity of the Coast Guard in response to a catastrophic incident;

(5) review of the impacts of a surge of the Coast Guard in response to a catastrophic incident on the capacity of the Coast Guard to perform its statutory missions;

(6) review of the capability of the Coast Guard to surge in response to concurrent or subsequent catastrophic incidents; and

(7) review and description of existing voluntary and involuntary deployments of Coast Guard personnel and assets in support of a United States Customs and Border Protection response to a national emergency (as defined in Presidential Proclamation 9844) on the surge capacity of the Coast Guard in the event of a catastrophic incident.

(c) DEFINITIONS.—In this section, the terms ''catastrophic incident'' and ''surge capacity'' have the meaning given such terms in section 602 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 701).

SEC. 2418. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND REPORT ON MARINE INSPECTIONS PROGRAM OF COAST GUARD.

(a) GAO REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the results of a comprehensive review, conducted by the Comptroller General for purposes of the report, on the marine inspections program of the Coast Guard, including the findings, and any recommendations for improvement of the program, of the Comptroller General.

(b) REQUIRED ELEMENTS OF REVIEW.—The review required under subsection (a) shall include—

(1) an analysis of the demand for marine inspectors;

(2) an identification of the number of fully qualified marine inspectors;

(3) a determination of whether the number of marine inspectors identified in paragraph (2) is sufficient to meet the demand described in paragraph (1);

(4) a review of the enlisted marine inspector workforce compared to the civilian marine inspector workforce and whether there is any discernable distinction or impact between such workforces in the performance of the marine safety mission;

(5) an evaluation of the training continuum of marine inspectors;

(6) a description and review of what actions, if any, the Coast Guard is taking to adapt to the current rise in United States export of crude oil and other fuels, such as implementing a safety inspection regime for barges; and

(7) an analysis of extending tours of duty for marine inspectors and increasing the number of civilian marine inspectors.

SEC. 2419. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND REPORT ON INFORMATION TECHNOLOGY PROGRAM OF COAST GUARD.

(a) GAO REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the results of a comprehensive review, conducted by the Comptroller General for purposes of the report, on the Coast Guard Command, Control, Communications, Computers, Cyber, and Intelligence Service Center, including the findings, and any recommendations for improvement of the program, of the Comptroller General.

(2) REQUIRED ELEMENTS OF REVIEW.—The review required under paragraph (1) shall include—

(A) analysis of how the Coast Guard manages its information technology program, including information technology acquisitions, to meet its various mission needs and reporting requirements;

(B) analysis of the adequacy of the physical information technology infrastructure within Coast Guard districts, including network infrastructure, for meeting mission needs and reporting requirements;

(C) analysis of whether and, if so, how the Coast Guard—

(i) identifies and satisfies any knowledge and skill requirements; and

(ii) recruits, trains, and develops its information technology personnel;

(D) analysis of whether and, if so, how the Coast Guard separates information technology from operational technology for cybersecurity purposes;

(E) analysis of how the Coast Guard intends to update its Marine Information for Safety and Law Enforcement system, personnel, accounting and other databases, and implement an electronic health records system; and

(F) analysis of the goals and acquisition strategies for all proposed Coast Guard enterprise-wide cloud computing service procurements.

(b) REVIEW ON CLOUD COMPUTING.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a detailed description of the Coast Guard's strategy to implement cloud computing for the entire Coast Guard, including—

(1) the goals and acquisition strategies for all proposed enterprise-wide cloud computing service procurements;

(2) a strategy to sustain competition and innovation throughout the period of performance of each contract for procurement of cloud-computing goods and services for the Coast Guard, including defining opportunities for multiple cloud-service providers and insertion of new technologies;

(3) an assessment of potential threats and security vulnerabilities of the strategy, and plans to mitigate such risks; and

(4) an estimate of the cost and timeline to implement cloud computing service for all Coast Guard computing.

SEC. 2420. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON ACCESS TO HEALTH CARE BY MEMBERS OF COAST GUARD AND DEPENDENTS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that examines access to, experience with, and needs under the TRICARE program of members of the Coast Guard and their dependents.

(2) ELEMENTS.—The study conducted under paragraph (1) shall analyze the following:

(A) The record of the TRICARE program in meeting the standards for care for primary and specialty care for members of the Coast Guard and dependents of those members, including members stationed in remote units.

(B) The accuracy and update periodicity of lists of providers under the TRICARE program in areas serving Coast Guard families.

(C) The wait times under the TRICARE program for appointments, specialty care, and referrals for members of the Coast Guard and dependents of those members.

(D) The availability of providers under the TRICARE program in remote locations, including providers for mental health, juvenile specialty care, dental, and female health.

(E) The access of members of the Coast Guard and dependents of those members to services under the TRICARE program in comparison to the access to such services by personnel of the Department of Defense and dependents of such personnel.

(F) The liaison assistance between members of the Coast Guard and dependents of those members and the TRICARE program provided by the Coast Guard in comparison to such assistance provided by the Department of Defense.

(G) How delayed access to care, timeliness of care, and distance traveled to care may impact personnel readiness of members of the Coast Guard.

(H) The regions particularly impacted by lack of access to care and recommendations to address those access issues.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations to improve access to quality, timely, and effective health care for members of the Coast Guard and dependents of those members from the study required under subsection (a).

(c) DEFINITIONS.—In this section, the terms ''dependent'' and ''TRICARE program'' have the meanings given such terms in section 1072 of title 10, United States Code.

SEC. 2421. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON MEDICAL STAFFING STANDARDS AND NEEDS FOR COAST GUARD.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that examines the health care system of the Coast Guard.

(2) ELEMENTS.—The study conducted under paragraph (1) shall analyze the following:

(A) The billets in clinics of the Coast Guard, whether for personnel of the Coast Guard or otherwise, including the number of billets, vacancies, and length of vacancies.

(B) The wait times for patients to attain an appointment for urgent care, routine physician care, and dental care.

(C) The impact of billet vacancies on such wait times.

(D) The ability of the Coast Guard to use other medical personnel of the Department of Defense, including physicians and physician assistants, to fill provider vacancies for the Coast Guard.

(E) The barriers, if any, to improving coordination and access to physicians within the health care system of the Department of Defense.

(F) The accessibility and availability of behavioral health medical personnel at clinics of the Coast Guard, including personnel available for family counseling, therapy, and other needs.

(G) The staffing models of clinics of the Coast Guard, including recommendations to modernize such models.

(H) The locations and needs of Coast Guard units with or without clinics.

(I) How access to care models for members of the Coast Guard are managed, including models with respect to the time and distance traveled to receive care, the cost of that travel, and alternate options to secure care quickly and efficiently for members serving in units without a clinic.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations from the study required under subsection (a).

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An identification of the number of members of the Coast Guard and types of units of the Coast Guard serviced by the health care system of the Coast Guard.

(B) An assessment of the ability of the Coast Guard to conduct medical support at outlying units, including remote units.

(C) An assessment of the capacity of the Coast Guard to support surge operations using historical data from the 10-year period preceding the date of the report.

(D) An assessment of the impact to operations of the Coast Guard by extended wait times or travel times to receive care or other issues identified by the report.

(c) RECOMMENDATIONS.—Not later than 90 days after the date on which the report is submitted under subsection (b), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives written recommendations for medical staffing standards for the Coast Guard based on each finding and conclusion contained in the report, including recommendations for health service technicians, flight surgeons, physician assistants, dentists, dental hygienists, family advocate services, pharmacists, and administrators, and other recommendations, as appropriate.

SEC. 2422. REPORT ON FAST RESPONSE CUTTERS, OFFSHORE PATROL CUTTERS, AND NATIONAL SECURITY CUTTERS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the combination of Fast Response Cutters, Offshore Patrol Cutters, and National Security Cutters necessary to carry out Coast Guard missions.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an updated cost estimate for each type of cutter described in such subsection; and

(2) a cost estimate for a Sensitive Compartmented Information Facility outfitted to manage data in a manner equivalent to the National Security Cutter Sensitive Compartmented Information Facilities.

Subtitle E—Coast Guard Academy Improvement Act

SEC. 2501. SHORT TITLE.

This subtitle may be cited as the ''Coast Guard Academy Improvement Act''.

SEC. 2502. COAST GUARD ACADEMY STUDY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Public Administration not later than 60 days after the date of the enactment of the this Act under which the National Academy of Public Administration shall—

(1) conduct an assessment of the cultural competence of the Coast Guard Academy as an organization and of individuals at the Coast Guard Academy to carry out effectively the primary duties of the United States Coast Guard listed in section 102 of title 14, United States Code, when interacting with individuals of different races, ethnicities, genders, religions, sexual orientations, socioeconomic backgrounds, or from different geographic origins; and

(2) issue recommendations based upon the findings in such assessment.

(b) ASSESSMENT OF CULTURAL COMPETENCE.—

(1) CULTURAL COMPETENCE OF THE COAST GUARD ACADEMY.—The arrangement described in subsection (a) shall require the National Academy of Public Administration to, not later than 1 year after entering into an arrangement with the Secretary under subsection (a), submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment described under subsection (a)(1).

(2) ASSESSMENT SCOPE.—The assessment described under subsection (a)(1) shall—

(A) describe the level of cultural competence described in subsection (a)(1) based on the National Academy of Public Administration's assessment of the Coast Guard Academy's relevant practices, policies, and structures, including an overview of discussions with faculty, staff, students, and relevant Coast Guard Academy affiliated organizations;

(B) examine potential changes which could be used to further enhance such cultural competence by—

(i) modifying institutional practices, policies, and structures; and

(ii) any other changes deemed appropriate by the National Academy of Public Administration; and

(C) make recommendations to enhance the cultural competence of the Coast Guard Academy described in subparagraph (A), including any specific plans, policies, milestones, performance measures, or other information necessary to implement such recommendations.

(c) FINAL ACTION MEMORANDUM.—Not later than 6 months after submission of the assessment under subsection (b)(1), the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a final action memorandum in response to all recommendations contained in the assessment. The final action memorandum shall include the rationale for accepting, accepting in part, or rejecting each recommendation, and shall specify, where applicable, actions to be taken to implement such recommendations, including an explanation of how each action enhances the ability of the Coast Guard to carry out the primary duties of the United States Coast Guard listed in section 102 of title 14, United States Code.

(d) PLAN.—

(1) IN GENERAL.—Not later than 6 months after the date of the submission of the final action memorandum required under subsection (c), the Commandant, in coordination with the Chief Human Capital Officer of the Department of Homeland Security, shall submit a plan to carry out the recommendations or the parts of the recommendations accepted in the final action memorandum to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) STRATEGY WITH MILESTONES.—If any recommendation or parts of recommendations accepted in the final action memorandum address any of the following actions, then the plan required in paragraph (1) shall include a strategy with appropriate milestones to carry out such recommendations or parts of recommendations:

(A) Improve outreach and recruitment of a more diverse Coast Guard Academy cadet candidate pool based on race, ethnicity, gender, religion, sexual orientation, socioeconomic background, and geographic origin.

(B) Modify institutional structures, practices, and policies to foster a more diverse cadet corps body, faculty, and staff workforce based on race, ethnicity, gender, religion, sexual orientation, socioeconomic background, and geographic origin.

(C) Modify existing or establish new policies and safeguards to foster the retention of cadets, faculty, and staff of different races, ethnicities, genders, religions, sexual orientations, socioeconomic backgrounds, and geographic origins at the Coast Guard Academy.

(D) Restructure the admissions office of the Coast Guard Academy to be headed by a

civilian with significant relevant higher education recruitment experience.

(3) IMPLEMENTATION.—Unless otherwise directed by an Act of Congress, the Commandant shall begin implementation of the plan developed under this subsection not later than 180 days after the submission of such plan to Congress.

(4) UPDATE.—The Commandant shall include in the first annual report required under chapter 51 of title 14, United States Code, as amended by this division, submitted after the date of enactment of this section, the strategy with milestones required in paragraph (2) and shall report annually thereafter on actions taken and progress made in the implementation of such plan.

SEC. 2503. ANNUAL REPORT.

Chapter 51 of title 14, United States Code, is further amended by adding at the end the following:

"§ 5111. Report on diversity at Coast Guard Academy

''(a) IN GENERAL.—Not later than January 15, 2021, and annually thereafter, the Commandant shall submit a report on diversity at the Coast Guard Academy to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(b) CONTENTS.—The report required under subsection (a) shall include—

''(1) the status of the implementation of the plan required under section 2502 of the Elijah E. Cummings Coast Guard Authorization Act of 2020;

''(2) specific information on outreach and recruitment activities for the preceding year, including the effectiveness of the Coast Guard Academy minority outreach team program described under section 1905 and of outreach and recruitment activities in the territories and other possessions of the United States;

''(3) enrollment information about the incoming class, including the gender, race, ethnicity, religion, socioeconomic background, and State of residence of Coast Guard Academy cadets;

''(4) information on class retention, outcomes, and graduation rates, including the race, gender, ethnicity, religion, socioeconomic background, and State of residence of Coast Guard Academy cadets;

''(5) information on efforts to retain diverse cadets, including through professional development and professional advancement programs for staff and faculty; and

''(6) a summary of reported allegations of discrimination on the basis of race, color, national origin, sex, gender, or religion for the preceding 5 years.''.

SEC. 2504. ASSESSMENT OF COAST GUARD ACADEMY ADMISSION PROCESSES.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Public Administration under which the National Academy of Public Administration shall, not later than 1 year after submitting an assessment under section 2502(a), submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the Coast Guard Academy admissions process.

(b) ASSESSMENT SCOPE.—The assessment required to be sought under subsection (a) shall, at a minimum, include—

(1) a study, or an audit if appropriate, of the process the Coast Guard Academy uses to—

(A) identify candidates for recruitment;

(B) recruit applicants;

(C) assist applicants in the application process;

(D) evaluate applications; and

(E) make admissions decisions;

(2) discussion of the consideration during the admissions process of diversity, including—

(A) race;

(B) ethnicity;

(C) gender;

(D) religion;

(E) sexual orientation;

(F) socioeconomic background; and

(G) geographic origin;

(3) an overview of the admissions processes at other Federal service academies, including—

(A) discussion of consideration of diversity, including any efforts to attract a diverse pool of applicants, in those processes; and

(B) an analysis of how the congressional nominations requirement in current law related to military service academies and the Merchant Marine Academy impacts those processes and the overall demographics of the student bodies at those academies;

(4) a determination regarding how a congressional nominations requirement for Coast Guard Academy admissions could impact diversity among the student body and the ability of the Coast Guard to carry out effectively the Service's primary duties described in section 102 of title 14, United States Code; and

(5) recommendations for improving Coast Guard Academy admissions processes, including whether a congressional nominations process should be integrated into such processes.

SEC. 2505. COAST GUARD ACADEMY MINORITY OUTREACH TEAM PROGRAM.

(a) IN GENERAL.—Chapter 19 of title 14, United States Code, is further amended by inserting after section 1904 (as amended by this division) the following:

"§ 1905. Coast Guard Academy minority outreach team program

''(a) IN GENERAL.—There is established within the Coast Guard Academy a minority outreach team program (in this section referred to as the 'Program') under which officers, including minority officers and officers from territories and other possessions of the United States, who are Academy graduates may volunteer their time to recruit minority students and strengthen cadet retention through mentorship of cadets.

''(b) ADMINISTRATION.—Not later than January 1, 2021, the Commandant, in consultation with Program volunteers and Academy alumni that participated in prior programs at the Academy similar to the Program, shall appoint a permanent civilian position at the Academy to administer the Program by, among other things—

''(1) overseeing administration of the Program;

''(2) serving as a resource to volunteers and outside stakeholders;

''(3) advising Academy leadership on recruitment and retention efforts based on recommendations from volunteers and outside stakeholders;

''(4) establishing strategic goals and performance metrics for the Program with input from active volunteers and Academy leadership; and

''(5) reporting annually to the Commandant on academic year and performance outcomes of the goals for the Program before the end of each academic year.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 19 of title 14, United States Code, is further amended by inserting after the item relating to section 1904 (as amended by this division) the following:

''1905. Coast Guard Academy minority outreach team program.''.

SEC. 2506. COAST GUARD COLLEGE STUDENT PRE-COMMISSIONING INITIATIVE.

(a) IN GENERAL.—Subchapter I of chapter 21 of title 14, United States Code, is further amended by adding at the end the following:

"§ 2131. College student pre-commissioning initiative

''(a) IN GENERAL.—There is authorized within the Coast Guard a college student pre-commissioning initiative program (in this section referred to as the 'Program') for eligible undergraduate students to enlist and receive a guaranteed commission as an officer in the Coast Guard.

''(b) CRITERIA FOR SELECTION.—To be eligible for the Program a student must meet the following requirements upon submitting an application:

''(1) AGE.—A student must be not less than 19 years old and not more than 27 years old as of September 30 of the fiscal year in which the Program selection panel selecting such student convenes.

''(2) CHARACTER.—

''(A) ALL APPLICANTS.—All applicants must be of outstanding moral character and meet other character requirements as set forth by the Commandant.

''(B) COAST GUARD APPLICANTS.—An applicant serving in the Coast Guard may not be commissioned if in the 36 months prior to the first Officer Candidate School class convening date in the selection cycle, such applicant was convicted by a court-martial or awarded nonjudicial punishment, or did not meet performance or character requirements set forth by the Commandant.

''(3) CITIZENSHIP.—A student must be a United States citizen.

''(4) CLEARANCE.—A student must be eligible for a secret clearance.

''(5) DEPENDENCY.—

''(A) IN GENERAL.—A student may not have more than 2 dependents.

''(B) SOLE CUSTODY.—A student who is single may not have sole or primary custody of dependents.

''(6) EDUCATION.—

''(A) INSTITUTION.—A student must be an undergraduate sophomore or junior—

''(i) at a historically Black college or university described in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) or an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)); or

''(ii) an undergraduate sophomore or junior enrolled at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that, at the time of application of the sophomore or junior, has had for 3 consecutive years an enrollment of undergraduate full-time equivalent students (as defined in section 312(e) of such Act (20 U.S.C. 1058(e))) that is a total of at least 50 percent Black American, Hispanic, Asian American (as defined in section 371(c) of such Act (20 U.S.C. 1067q(c))), Native American Pacific Islander (as defined in such section), or Native American (as defined in such section), among other criteria, as determined by the Commandant.

''(B) LOCATION.—The institution at which such student is an undergraduate must be within 100 miles of a Coast guard unit or Coast Guard Recruiting Office unless otherwise approved by the Commandant.

''(C) RECORDS.—A student must meet credit and grade point average requirements set forth by the Commandant.

''(7) MEDICAL AND ADMINISTRATIVE.—A student must meet other medical and administrative requirements as set forth by the Commandant.

''(c) ENLISTMENT AND OBLIGATION.—Individuals selected and accept to participate in the Program shall enlist in the Coast Guard in

pay grade E–3 with a 4-year duty obligation and 4-year inactive Reserve obligation.

''(d) MILITARY ACTIVITIES PRIOR TO OFFICER CANDIDATE SCHOOL.—Individuals enrolled in the Program shall participate in military activities each month, as required by the Commandant, prior to attending Officer Candidate School.

''(e) PARTICIPATION IN OFFICER CANDIDATE SCHOOL.—Each graduate of the Program shall attend the first enrollment of Officer Candidate School that commences after the date of such graduate's graduation.

''(f) COMMISSIONING.—Upon graduation from Officer Candidate School, Program graduates shall be discharged from enlisted status and commissioned as an O–1 with an initial 3-year duty obligation.

''(g) BRIEFING.—

''(1) IN GENERAL.—Not later than August 15 of each year, the Commandant shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the Program.

''(2) CONTENTS.—The briefing required under paragraph (1) shall describe—

''(A) outreach and recruitment efforts over the previous year; and

''(B) demographic information of enrollees including—

''(i) race;

''(ii) ethnicity;

''(iii) gender;

''(iv) geographic origin; and

''(v) educational institution.''.

(b) CLERICAL AMENDMENT.—The analysis chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2130 (as added by this division) the following:

''2131. College student pre-commissioning initiative.''.

SEC. 2507. ANNUAL BOARD OF VISITORS.

Section 1903(d) of title 14, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) recruitment and retention, including diversity, inclusion, and issues regarding women specifically;''.

SEC. 2508. HOMELAND SECURITY ROTATIONAL CYBERSECURITY RESEARCH PROGRAM AT COAST GUARD ACADEMY.

(a) IN GENERAL.—Subtitle E of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 411 et seq.) is amended by adding at the end the following:

''SEC. 846. ROTATIONAL CYBERSECURITY RESEARCH PROGRAM.

''To enhance the Department's cybersecurity capacity, the Secretary may establish a rotational research, development, and training program for—

''(1) detail to the Cybersecurity and Infrastructure Security Agency (including the national cybersecurity and communications integration center authorized by section 2209) of Coast Guard Academy graduates and faculty; and

''(2) detail to the Coast Guard Academy, as faculty, of individuals with expertise and experience in cybersecurity who are employed by—

''(A) the Agency (including the center);

''(B) the Directorate of Science and Technology; or

''(C) institutions that have been designated by the Department as a Center of Excellence for Cyber Defense, or the equivalent.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 411 et seq.) is amended by adding at the end of the items relating to subtitle E of such Act the following:

''Sec. 846. Rotational cybersecurity research program.''.

Subtitle F—Other Matters

SEC. 2601. STRATEGY ON LEADERSHIP OF COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and make available to the public a strategy to improve leadership development in the Coast Guard, including mechanisms to address counterproductive leadership in the Coast Guard.

(b) ELEMENTS.—The strategy shall include the following:

(1) Mechanisms to foster positive and productive leadership qualities in emerging Coast Guard leaders, beginning, at minimum, members at grade O–2 for officers, members at grade E–6 for enlisted members, and members training to become an officer in charge.

(2) Mechanisms for the ongoing evaluation of unit commanders, including identification of counterproductive leadership qualities in commanders.

(3) Formal training on the recognition of counterproductive leadership qualities (in self and others), including at leadership seminars and school houses in the Coast Guard, including means to correct such qualities.

(4) Clear and transparent policies on standards for command climate, leadership qualities, and inclusion.

(5) Policy to ensure established and emerging leaders have access to hands-on training and tools to improve diversity and inclusion.

(6) Policy and procedures for commanders to identify and hold accountable counterproductive leaders.

(c) COUNTERPRODUCTIVE LEADERSHIP DEFINED.—In this section, the term ''counterproductive leadership'' has the meaning given that term for purposes of Army Doctrine Publication 6–22.

SEC. 2602. EXPEDITED TRANSFER IN CASES OF SEXUAL ASSAULT; DEPENDENTS OF MEMBERS OF THE COAST GUARD.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to allow the transfer of a member of the Coast Guard whose dependent is the victim of sexual assault perpetrated by a member of the Armed Forces who is not related to the victim.

SEC. 2603. ACCESS TO RESOURCES DURING CREOSOTE-RELATED BUILDING CLOSURES AT COAST GUARD BASE SEATTLE, WASHINGTON.

(a) IN GENERAL.—With respect to the creosote-related building closures at Coast Guard Base Seattle, Washington, the Commandant shall, to the maximum extent practicable, enter into 1 or more agreements or otherwise take actions to secure access to resources, including a gym, that are not otherwise available to members of the Coast Guard during such closures.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall brief Congress with respect to actions taken by the Commandant to comply with subsection (a).

SEC. 2604. SOUTHERN RESIDENT ORCA CONSERVATION AND ENFORCEMENT.

(a) REPORT AND ACTION PLAN ON ORCA ENFORCEMENT OPPORTUNITIES.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere, shall submit to Congress a report on Coast Guard efforts to enforce southern resident orca vessel buffer zones and other vessel-related regulations in Puget Sound in coordination with existing Coast Guard fisheries enforcement, maritime domain awareness, the Be Whale Wise campaign, and other related missions. Such report shall include recommendations on what resources, appropriations, and assets are needed to meet orca conservation and related fisheries enforcement targets in the 13th Coast Guard District within one year of the date of enactment of this Act.

(b) SOUTHERN RESIDENT ORCAS.—The Commandant, in coordination with the Under Secretary of Commerce for Oceans and Atmosphere, shall undertake efforts to reduce vessel noise impacts on Southern resident orcas in Puget Sound, the Salish Sea, and the Strait of Juan de Fuca.

(c) PROGRAM.—

(1) IN GENERAL.—The Commandant shall—

(A) support the development, implementation, and enforcement of commercial vessel noise reduction measures that are technically feasible and economically achievable;

(B) establish procedures for timely communication of information to commercial vessel operators regarding orca sightings in Puget Sound and make navigational safety recommendations in accordance with the Cooperative Vessel Traffic Service Agreement; and

(C) collaborate on studies or trials analyzing vessel noise impacts on Southern resident orcas.

(2) VESSEL NOISE IMPACTS.—The Undersecretary of Commerce for Oceans and Atmosphere shall assess vessel noise impacts on Southern resident orcas in the program area and make recommendations to reduce that noise and noise related impacts to Southern resident orcas to the Commandant.

(3) COORDINATION.—In carrying out this section, the Commandant shall coordinate with Canadian agencies affiliated with the Enhancing Cetacean Habitat and Observation (ECHO) program and other international organizations as appropriate.

(4) CONSULTATION.—In carrying out this section, the Commandant and the Undersecretary of Commerce for Oceans and Atmosphere shall consult with State, local, and Tribal governments and maritime industry and conservation stakeholders including ports, higher education institutions, and nongovernmental organizations.

SEC. 2605. SENSE OF CONGRESS AND REPORT ON IMPLEMENTATION OF POLICY ON ISSUANCE OF WARRANTS AND SUBPOENAS AND WHISTLEBLOWER PROTECTIONS BY AGENTS OF THE COAST GUARD INVESTIGATIVE SERVICE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Coast Guard components with investigative authority should exercise such authority with due respect for the rights of whistleblowers; and

(2) the Commandant should—

(A) ensure compliance with the legal requirements intended to protect whistleblowers;

(B) seek to shield the disclosure of the identities of whistleblowers; and

(C) create an environment in which whistleblowers do not fear reprisal for reporting misconduct.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the policy of the Coast Guard on the issuance of warrants and subpoenas and whistleblower protections by agents of the Coast Guard Investigative Service.

(c) ELEMENTS.—The report required by subsection (b) shall include the following:

(1) A discussion of current and any new policy of the Coast Guard on the issuance of warrants and subpoenas and whistleblower protections by agents of the Coast Guard Investigative Service, including Coast Guard Investigative Service Criminal Investigation Operating Procedure CIOP 2019–02, and the differences between such current policies and new policies.

(2) A plan (including milestones) for the implementation of the following:

(A) Incorporation of Coast Guard Investigative Service Criminal Investigation Operating Procedure CIOP 2019–02 into the next revision of the relevant Coast Guard investigative manual.

(B) Training on the policy described in paragraph (1) for the following:

(i) Agents and legal counsel of the Coast Guard Investigative Service.

(ii) Personnel of the Office of General Law.

(iii) Relevant Coast Guard headquarters personnel.

(iv) Such other Coast Guard personnel as the Commandant considers appropriate.

SEC. 2606. INSPECTOR GENERAL REPORT ON ACCESS TO EQUAL OPPORTUNITY ADVISORS AND EQUAL EMPLOYMENT OPPORTUNITY SPECIALISTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the inspector general of the department in which the Coast Guard is operating shall conduct a study and develop recommendations on the need to separate Equal Opportunity Advisors and Equal Employment Opportunity Specialists, as practicable, through the pre-complaint and formal discrimination complaint processes, for the complainant, the opposing party, and the commanding officers and officers in charge.

(b) BRIEFING.—Not later than 30 days after the completion of the study required by subsection (a), the Commandant shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the manner in which the Coast Guard plans to implement the recommendations developed as a result of the study.

SEC. 2607. INSIDER THREAT PROGRAM.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on a plan to expand the Coast Guard Insider Threat Program to include the monitoring of all Coast Guard devices, including mobile devices.

TITLE III—MARITIME

Subtitle A—Navigation

SEC. 3101. ELECTRONIC CHARTS; EQUIVALENCY.

(a) REQUIREMENTS.—Section 3105(a)(1) of title 46, United States Code, is amended to read as follows:

''(1) ELECTRONIC CHARTS IN LIEU OF MARINE CHARTS, CHARTS, AND MAPS.—Subject to paragraph (2), the following vessels, while operating on the navigable waters of the United States, equipped with and operating electronic navigational charts that are produced by a government hydrographic office or conform to a standard acceptable to the Secretary, shall be deemed in compliance with any requirement under title 33 or title 46, Code of Federal Regulations, to have a chart, marine chart, or map on board such vessel:

''(A) A self-propelled commercial vessel of at least 65 feet in overall length.

''(B) A vessel carrying more than a number of passengers for hire determined by the Secretary.

''(C) A towing vessel of more than 26 feet in overall length and 600 horsepower.

''(D) Any other vessel for which the Secretary decides that electronic charts are necessary for the safe navigation of the vessel.''.

(b) EXEMPTIONS AND WAIVERS.—Section 3105(a)(2) of title 46, United States Code, is amended—

(1) in subparagraph (A), by striking ''operates; and'' and inserting ''operates;'';

(2) in subparagraph (B), by striking ''those waters.'' and inserting ''those waters; and''; and

(3) by adding at the end the following:

''(C) permit vessels described in subparagraphs (A) through (D) of paragraph (1) that operate solely landward of the baseline from which the territorial sea of the United States is measured to utilize software-based, platform-independent electronic chart systems that the Secretary determines are capable of displaying electronic navigational charts with necessary scale and detail to ensure safe navigation for the intended voyage.''.

SEC. 3102. SUBROGATED CLAIMS.

(a) IN GENERAL.—Section 1012(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(b)) is amended—

(1) by striking ''The'' and inserting the following:

''(1) IN GENERAL.—The''; and

(2) by adding at the end the following:

''(2) SUBROGATED RIGHTS.—Except for a guarantor claim pursuant to a defense under section 1016(f)(1), Fund compensation of any claim by an insurer or other indemnifier of a responsible party or injured third party is subject to the subrogated rights of that responsible party or injured third party to such compensation.''.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 3103. LOAN PROVISIONS UNDER OIL POLLUTION ACT OF 1990.

(a) IN GENERAL.—Section 1013 of the Oil Pollution Act of 1990 (33 U.S.C. 2713) is amended by striking subsection (f).

(b) CONFORMING AMENDMENTS.—Section 1012(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)) is amended—

(1) in paragraph (4), by adding ''and'' after the semicolon at the end;

(2) in paragraph (5)(D), by striking ''; and'' and inserting a period; and

(3) by striking paragraph (6).

SEC. 3104. OIL POLLUTION RESEARCH AND DEVELOPMENT PROGRAM.

Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting '', technology,'' after ''research'';

(B) in paragraph (2)—

(i) by striking ''this subsection'' and inserting ''paragraph (1)''; and

(ii) by striking ''which are effective in preventing or mitigating oil discharges and which'' and inserting ''and methods that are effective in preventing, mitigating, or restoring damage from oil discharges and that'';

(C) in paragraph (3) by striking ''this subsection'' and inserting ''paragraph (1)'' each place it appears;

(D) in subparagraph (A) of paragraph (4)—

(i) by striking ''oil discharges. Such program shall'' and inserting ''acute and chronic oil discharges on coastal and marine resources (including impacts on protected areas such as sanctuaries) and protected species, and such program shall'';

(ii) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(iii) by inserting after clause (ii) the following:

''(iii) Research to understand and quantify the effects of sublethal impacts of oil discharge on living natural marine resources, including impacts on pelagic fish species, marine mammals, and commercially and recreationally targeted fish and shellfish species.''; and

(iv) by adding at the end the following:

''(vi) Research to understand the long-term effects of major oil discharges and the long-term effects of smaller endemic oil discharges.

''(vii) The identification of potential impacts on ecosystems, habitat, and wildlife from the additional toxicity, heavy metal concentrations, and increased corrosiveness of mixed crude, such as diluted bitumen crude.

''(viii) The development of methods to restore and rehabilitate natural resources and ecosystem functions damaged by oil discharges.'';

(E) in paragraph (5) by striking ''this subsection'' and inserting ''paragraph (1)'';

(F) by striking paragraph (7) and inserting the following:

''(7) SIMULATED ENVIRONMENTAL TESTING.—

''(A) IN GENERAL.—Agencies represented on the Interagency Committee shall ensure the long-term use and operation of the Oil and Hazardous Materials Simulated Environmental Test Tank (OHMSETT) Research Center in New Jersey for oil pollution technology testing and evaluations.

''(B) OTHER TESTING FACILITIES.—Nothing in subparagraph (A) shall be construed as limiting the ability of the Interagency Committee to contract or partner with a facility or facilities other than the Center described in subparagraph (A) for the purpose of oil pollution technology testing and evaluations, provided such a facility or facilities have testing and evaluation capabilities equal to or greater than those of such Center.

''(C) IN-KIND CONTRIBUTIONS.—

''(i) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may accept donations of crude oil and crude oil product samples in the form of in-kind contributions for use by the Federal Government for product testing, research and development, and for other purposes as the Secretary and the Administrator determine appropriate.

''(ii) USE OF DONATED OIL.—Oil accepted under clause (i) may be used directly by the Secretary and shall be provided to other Federal agencies or departments through interagency agreements to carry out the purposes of this Act.'';

(G) in paragraph (8)—

(i) in subparagraph (A), by striking ''subsection (b)'' and inserting ''subsection (d)''; and

(ii) in subparagraph (D)(iii), by striking ''subsection (b)(1)(F)'' and inserting ''subsection (d)''; and

(H) in paragraph (10)—

(i) by striking ''this subsection'' and inserting ''paragraph (1)'';

(ii) by striking ''agencies represented on the Interagency Committee'' and inserting ''Under Secretary'';

(iii) by inserting '', and States and Indian tribes'' after ''other persons''; and

(iv) by striking ''subsection (b)'' and inserting ''subsection (d)'';

(2) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (d)'';

(3) in subsection (e), by striking ''Chairman of the Interagency Committee'' and inserting ''Chair'';

(4) in subsection (f), by striking ''subsection (c)(8)'' each place it appears and inserting ''subsection (e)(8)'';

(5) by redesignating subsections (c) through (f) as subsections (e) through (h), respectively; and

(6) by striking subsections (a) and (b) and inserting the following:

''(a) DEFINITIONS.—In this section—

''(1) the term 'Chair' means the Chairperson of the Interagency Committee designated under subsection (c)(2);

''(2) the term 'Commandant' means the Commandant of the Coast Guard;

''(3) the term 'institution of higher education' means an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

''(4) the term 'Interagency Committee' means the Interagency Coordinating Committee on Oil Pollution Research established under subsection (b);

''(5) the term 'Under Secretary' means the Under Secretary of Commerce for Oceans and Atmosphere; and

''(6) the term 'Vice Chair' means the Vice Chairperson of the Interagency Committee designated under subsection (c)(3).

''(b) ESTABLISHMENT OF INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.—

''(1) ESTABLISHMENT.—There is established an Interagency Coordinating Committee on Oil Pollution Research.

''(2) PURPOSE.—The Interagency Committee shall coordinate a comprehensive program of oil pollution research, technology development, and demonstration among the Federal agencies, in cooperation and coordination with industry, 4-year institutions of higher education and research institutions, State governments, and other nations, as appropriate, and shall foster cost-effective research mechanisms, including the joint funding of research.

''(c) MEMBERSHIP.—

''(1) COMPOSITION.—The Interagency Committee shall be composed of—

''(A) at least 1 representative of the Coast Guard;

''(B) at least 1 representative of the National Oceanic and Atmospheric Administration;

''(C) at least 1 representative of the Environmental Protection Agency;

''(D) at least 1 representative of the Department of the Interior;

''(E) at least 1 representative of the Bureau of Safety and Environmental Enforcement;

''(F) at least 1 representative of the Bureau of Ocean Energy Management;

''(G) at least 1 representative of the United States Fish and Wildlife Service;

''(H) at least 1 representative of the Department of Energy;

''(I) at least 1 representative of the Pipeline and Hazardous Materials Safety Administration;

''(J) at least 1 representative of the Federal Emergency Management Agency;

''(K) at least 1 representative of the Navy;

''(L) at least 1 representative of the Corps of Engineers;

''(M) at least 1 representative of the United States Arctic Research Commission; and

''(N) at least 1 representative of each of such other Federal agencies as the President considers to be appropriate.

''(2) CHAIRPERSON.—The Commandant shall designate a Chairperson from among the members of the Interagency Committee selected under paragraph (1)(A).

''(3) VICE CHAIRPERSON.—The Under Secretary shall designate a Vice Chairperson from among the members of the Interagency Committee selected under paragraph (1)(B).

''(4) MEETINGS.—

''(A) QUARTERLY MEETINGS.—At a minimum, the members of the Interagency Committee shall meet once each quarter.

''(B) PUBLIC SUMMARIES.—After each meeting, a summary shall be made available by the Chair or Vice Chair, as appropriate.

''(d) DUTIES OF THE INTERAGENCY COMMITTEE.—

''(1) RESEARCH.—The Interagency Committee shall—

''(A) coordinate a comprehensive program of oil pollution research, technology development, and demonstration among the Federal agencies, in cooperation and coordination with industry, 4-year institutions of higher education and research institutions, States, Indian tribes, and other countries, as appropriate; and

''(B) foster cost-effective research mechanisms, including the joint funding of research and the development of public-private partnerships for the purpose of expanding research.

''(2) OIL POLLUTION RESEARCH AND TECHNOLOGY PLAN.—

''(A) IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, the Interagency Committee shall submit to Congress a research plan to report on the state of oil discharge prevention and response capabilities that—

''(i) identifies current research programs conducted by Federal agencies, States, Indian tribes, 4-year institutions of higher education, and corporate entities;

''(ii) assesses the current status of knowledge on oil pollution prevention, response, and mitigation technologies and effects of oil pollution on the environment;

''(iii) identifies significant oil pollution research gaps, including an assessment of major technological deficiencies in responses to past oil discharges;

''(iv) establishes national research priorities and goals for oil pollution technology development related to prevention, response, mitigation, and environmental effects;

''(v) assesses the research on the applicability and effectiveness of the prevention, response, and mitigation technologies to each class of oil;

''(vi) estimates the resources needed to conduct the oil pollution research and development program established pursuant to subsection (e), and timetables for completing research tasks;

''(vii) summarizes research on response equipment in varying environmental conditions, such as in currents, ice cover, and ice floes; and

''(viii) includes such other information or recommendations as the Interagency Committee determines to be appropriate.

''(B) ADVICE AND GUIDANCE.—

''(i) NATIONAL ACADEMY OF SCIENCES CONTRACT.—The Chair, through the department in which the Coast Guard is operating, shall contract with the National Academy of Sciences to—

''(I) provide advice and guidance in the preparation and development of the research plan;

''(II) assess the adequacy of the plan as submitted, and submit a report to Congress on the conclusions of such assessment; and

''(III) provide organization guidance regarding the implementation of the research plan, including delegation of topics and research among Federal agencies represented on the Interagency Committee.

''(ii) NIST ADVICE AND GUIDANCE.—The National Institute of Standards and Technology shall provide the Interagency Committee with advice and guidance on issues relating to quality assurance and standards measurements relating to its activities under this section.

''(C) 10-YEAR UPDATES.—Not later than 10 years after the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, and every 10 years thereafter, the Interagency Committee shall submit to Congress a research plan that updates the information contained in the previous research plan submitted under this subsection.''.

SEC. 3105. LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.

(a) IN GENERAL.—Subject to subsections (b) and (c), a contract for the containment or removal of a discharge entered into by the President under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)) shall contain a provision to indemnify a contractor for liabilities and expenses incidental to the containment or removal arising out of the performance of the contract that is substantially identical to the terms contained in subsections (d) through (h) of section H.4 (except for paragraph (1) of subsection (d)) of the contract offered by the Coast Guard in the solicitation numbered DTCG89–98–A–68F953 and dated November 17, 1998.

(b) REQUIREMENTS.—

(1) SOURCE OF FUNDS.—The provision required under subsection (a) shall include a provision that the obligation to indemnify is limited to funds available in the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986 at the time the claim for indemnity is made.

(2) UNCOMPENSATED REMOVAL.—A claim for indemnity under a contract described in subsection (a) shall be made as a claim for uncompensated removal costs under section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)).

(3) LIMITATION.—The total indemnity for a claim under a contract described in subsection (a) may not be more than $50,000 per incident.

(c) APPLICABILITY OF EXEMPTIONS.—Notwithstanding subsection (a), the United States shall not be obligated to indemnify a contractor for any act or omission of the contractor carried out pursuant to a contract entered into under this section where such act or omission is grossly negligent or which constitutes willful misconduct.

Subtitle B—Shipping

SEC. 3201. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS; APPLICATION.

Section 3507(k)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by adding ''and'' after the semicolon at the end;

(2) in subparagraph (C), by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (D).

SEC. 3202. SMALL PASSENGER VESSELS AND UNINSPECTED PASSENGER VESSELS.

Section 12121 of title 46, United States Code, is amended—

(1) in subsection (a)(1), by striking subparagraphs (A) and (B) and inserting the following:

''(A) was built in the United States;

''(B) was not built in the United States and is at least 3 years old; or

''(C) if rebuilt, was rebuilt—

''(i) in the United States; or

''(ii) outside the United States at least 3 years before the certificate requested under subsection (b) would take effect.''; and

(2) in subsection (b), by inserting ''12132,'' after ''12113,''.

SEC. 3203. NON-OPERATING INDIVIDUAL.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall not enforce section 8701 of title 46, United States Code, with respect to the following:

(1) A vessel with respect to individuals, other than crew members required by the

Certificate of Inspection or to ensure the safe navigation of the vessel and not a member of the steward's department, engaged on board for the sole purpose of carrying out spill response activities, salvage, marine firefighting, or commercial diving business or functions from or on any vessel, including marine firefighters, spill response personnel, salvage personnel, and commercial divers and diving support personnel.

(2) An offshore supply vessel, an industrial vessel (as such term is defined in section 90.10–16 of title 46, Code of Federal Regulations), or other similarly engaged vessel with respect to persons engaged in the business of the ship on board the vessel—

(A) for—

(i) supporting or executing the industrial business or function of the vessel;

(ii) brief periods to conduct surveys or investigations, assess crew competence, conduct vessel trials, provide extraordinary security resources, or similar tasks not traditionally performed by the vessel crew; or

(iii) performing maintenance tasks on equipment under warranty, or on equipment not owned by the vessel owner, or maintenance beyond the capability of the vessel crew to perform; and

(B) not the master or crew members required by the certificate of inspection and not a member of the steward's department.

(b) SUNSET.—The prohibition in subsection (a) shall terminate on the date that is 2 years after the date of the enactment of this Act.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing recommendations to ensure that personnel working on a vessel who perform work or operate equipment on such vessel not related to the operation of the vessel itself undergo a background check and the appropriate training necessary to ensure personnel safety and the safety of the vessel's crew.

(2) CONTENTS.—The report required under paragraph (1) shall include, at a minimum, a discussion of—

(A) options and recommendations for ensuring that the individuals covered by subsection (a) are appropriately screened to mitigate security and safety risks, including to detect substance abuse;

(B) communication and collaboration between the Coast Guard, the department in which the Coast Guard is operating, and relevant stakeholders regarding the development of processes and requirements for conducting background checks and ensuring such individuals receive basic safety familiarization and basic safety training approved by the Coast Guard;

(C) any identified legislative changes necessary to implement effective training and screening requirements for individuals covered by subsection (a); and

(D) the timeline and milestones for implementing such requirements.

SEC. 3204. CONFORMING AMENDMENTS: TRAINING; PUBLIC SAFETY PERSONNEL.

Chapter 701 of title 46, United States Code, is amended—

(1) in section 70107—

(A) in subsection (a), by striking ''law enforcement personnel'' and inserting ''public safety personnel'';

(B) in subsection (b)(8), by striking ''law enforcement personnel—'' and inserting ''public safety personnel—''; and

(C) in subsection (c)(2)(C), by striking ''law enforcement agency personnel'' and inserting ''public safety personnel''; and

(2) in section 70132—

(A) in subsection (a), by striking ''law enforcement personnel—'' and inserting ''public safety personnel—'';

(B) in subsection (b), by striking ''law enforcement personnel'' each place it appears and inserting ''public safety personnel''; and

(C) by adding at the end the following:

''(d) PUBLIC SAFETY PERSONNEL DEFINED.—For the purposes of this section, the term 'public safety personnel' includes any Federal, State (or political subdivision thereof), territorial, or Tribal law enforcement officer, firefighter, or emergency response provider.''.

SEC. 3205. MARITIME TRANSPORTATION ASSESSMENT.

Section 55501(e) of title 46, United States Code, is amended—

(1) in paragraph (2), by striking ''an assessment of the condition'' and inserting ''a conditions and performance analysis'';

(2) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (5), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(6) a compendium of the Federal programs engaged in the maritime transportation system.''.

SEC. 3206. ENGINE CUT-OFF SWITCHES; USE REQUIREMENT.

(a) IN GENERAL.—Section 4312 of title 46, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following:

''(b) USE REQUIREMENT.—

''(1) IN GENERAL.—An individual operating a covered recreational vessel shall use an engine cut-off switch link while operating on plane or above displacement speed.

''(2) EXCEPTIONS.—The requirement under paragraph (1) shall not apply if—

''(A) the main helm of the covered vessel is installed within an enclosed cabin; or

''(B) the vessel does not have an engine cut-off switch and is not required to have one under subsection (a).''.

(b) CIVIL PENALTY.—Section 4311 of title 46, United States Code, is amended by—

(1) redesignating subsections (c), (d), (e), (f), and (g) as subsections (d), (e), (f), (g), and (h), respectively; and

(2) inserting after subsection (b) the following:

''(c) A person violating section 4312(b) of this title is liable to the United States Government for a civil penalty of not more than—

''(1) $100 for the first offense;

''(2) $250 for the second offense; and

''(3) $500 for any subsequent offense.''.

(c) EFFECTIVE DATE.—The amendments made in subsections (a) and (b) shall take effect 90 days after the date of the enactment of this section, unless the Commandant, prior to the date that is 90 days after the date of the enactment of this section, determines that the use requirement enacted in subsection (a) would not promote recreational boating safety.

SEC. 3207. AUTHORITY TO WAIVE OPERATOR OF SELF-PROPELLED UNINSPECTED PASSENGER VESSEL REQUIREMENTS.

Section 8905 of title 46, United States Code, is amended by adding at the end the following:

''(c) After consultation with the Governor of Alaska and the State boating law administrator of Alaska, the Secretary may exempt an individual operating a self-propelled uninspected passenger vessel from the requirements of section 8903 of this title, if—

''(1) the individual only operates such vessel wholly within waters located in Alaska; and

''(2) such vessel is—

''(A) 26 feet or less in length; and

''(B) carrying not more than 6 passengers.''.

SEC. 3208. EXEMPTIONS AND EQUIVALENTS.

(a) IN GENERAL.—Section 4305 of title 46, United States Code, is amended—

(1) by striking the heading and inserting the following:

''§ 4305. Exemptions and equivalents'';

(2) by striking ''If the Secretary'' and inserting the following:

''(a) EXEMPTIONS.—If the Secretary''; and

(3) by adding at the end the following:

''(b) EQUIVALENTS.—The Secretary may accept a substitution for associated equipment performance or other safety standards for a recreational vessel if the substitution provides an equivalent level of safety.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 43 of title 46, United States Code, is amended by striking the item relating to section 4305 and inserting the following:

''4305. Exemptions and equivalents.''.

SEC. 3209. WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS.

Section 501(a) of title 46, United States Code, is amended—

(1) by striking ''On request'' and inserting the following:

''(1) IN GENERAL.—On request''; and

(2) by adding at the end the following:

''(2) EXPLANATION.—Not later than 24 hours after making a request under paragraph (1), the Secretary of Defense shall submit to the Committees on Transportation and Infrastructure and Armed Services of the House of Representatives and the Committees on Commerce, Science, and Transportation and Armed Services of the Senate a written explanation of the circumstances requiring such a waiver in the interest of national defense, including a confirmation that there are insufficient qualified vessels to meet the needs of national defense without such a waiver.''.

SEC. 3210. RENEWAL OF MERCHANT MARINER LICENSES AND DOCUMENTS.

Not later than 60 days after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the Coast Guard's implementation of section 7106 of title 46, United States Code—

(1) an overview of the manner in which the Coast Guard manages and processes renewal applications under such section, including communication with the applicant regarding application status;

(2) the number of applications received and approved over the previous 2 years, or in the event applications were denied, a summary detailing the reasons for such denial;

(3) an accounting of renewal applications filed up to 8 months in advance of the expiration of a pre-existing license, including the processing of such applications and communication with the applicant regarding application status or any other extenuating circumstances; and

(4) any other regulatory or statutory changes that would be necessary to further improve the Coast Guard's issuance of credentials to fully qualified mariners in the most effective and efficient manner possible in order to ensure a safe, secure, economically and environmentally sound marine transportation system.

SEC. 3211. CERTIFICATE EXTENSIONS.

(a) IN GENERAL.—Subchapter I of chapter 121 of title 46, United States Code, is amended by adding at the end the following:

"§ 12108. Authority to extend duration of vessel certificates

''(a) CERTIFICATES.—Provided a vessel is in compliance with inspection requirements in section 3313, the Secretary of the department in which in the Coast Guard is operating may, if the Secretary makes the determination described in subsection (b), extend, for a period of not more than 1 year, an expiring certificate of documentation issued for a vessel under chapter 121.

''(b) DETERMINATION.—The determination referred to in subsection (a) is a determination that such extension is required to enable the Coast Guard to—

''(1) eliminate a backlog in processing applications for such certificates; or

''(2) act in response to a national emergency or natural disaster.

''(c) MANNER OF EXTENSION.—Any extension granted under this section may be granted to individual vessels or to a specifically identified group of vessels.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 121 of title 46, United States Code, is amended by adding at the end the following:

''12108. Authority to extend duration of vessel certificates.''.

SEC. 3212. VESSEL SAFETY STANDARDS.

(a) FISHING SAFETY TRAINING GRANTS PROGRAM.—Subsection (i) of section 4502 of title 46, United States Code, is amended—

(1) in paragraph (3), by striking ''50 percent'' and inserting ''75 percent''; and

(2) in paragraph (4), by striking ''2019'' and inserting ''2021''.

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Subsection (j) of such section is amended—

(1) in paragraph (3), by striking ''50 percent'' and inserting ''75 percent''; and

(2) in paragraph (4), by striking ''2019'' and inserting ''2021''.

(c) FISHING SAFETY GRANTS.—The cap on the Federal share of the cost of any activity carried out with a grant under subsections (i) and (j) of section 4502 of title 46, United States Code, as in effect prior to the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018, shall apply to any funds appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) for the purpose of making such grants.

SEC. 3213. MEDICAL STANDARDS.

(a) IN GENERAL.—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

"§ 3509. Medical standards

''The owner of a vessel to which section 3507 applies shall ensure that—

''(1) a physician is always present and available to treat any passengers who may be on board the vessel in the event of an emergency situation;

''(2) the vessel is in compliance with the Health Care Guidelines for Cruise Ship Medical Facilities established by the American College of Emergency Physicians; and

''(3) the initial safety briefing given to the passengers on board the vessel includes—

''(A) the location of the vessel's medical facilities; and

''(B) the appropriate steps passengers should follow during a medical emergency.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 35 of title 46, United States Code, is amended by adding at the end the following:

''3509. Medical standards.''.

Subtitle C—Advisory Committees

SEC. 3301. ADVISORY COMMITTEES.

(a) NATIONAL OFFSHORE SAFETY ADVISORY COMMITTEE; REPRESENTATION.—Section 15106(c)(3) of title 46, United States Code, is amended—

(1) in subparagraph (C), by striking ''mineral and oil operations, including geophysical services'' and inserting ''operations'';

(2) in subparagraph (D), by striking ''exploration and recovery'';

(3) in subparagraph (E), by striking ''engaged in diving services related to offshore construction, inspection, and maintenance'' and inserting ''providing diving services to the offshore industry'';

(4) in subparagraph (F), by striking ''engaged in safety and training services related to offshore exploration and construction'' and inserting ''providing safety and training services to the offshore industry'';

(5) in subparagraph (G), by striking ''engaged in pipelaying services related to offshore construction'' and inserting ''providing subsea engineering, construction, or remotely operated vehicle support to the offshore industry'';

(6) in subparagraph (H), by striking ''mineral and energy'';

(7) in subparagraph (I), by inserting ''and entities providing environmental protection, compliance, or response services to the offshore industry'' after ''national environmental entities''; and

(8) in subparagraph (J), by striking ''deepwater ports'' and inserting ''entities engaged in offshore oil exploration and production on the Outer Continental Shelf adjacent to Alaska''.

(b) TECHNICAL CORRECTIONS.—Section 15109 of title 46, United States Code, is amended by inserting ''or to which this chapter applies'' after ''committee established under this chapter'' each place it appears.

SEC. 3302. MARITIME TRANSPORTATION SYSTEM NATIONAL ADVISORY COMMITTEE.

(a) MARITIME TRANSPORTATION SYSTEM NATIONAL ADVISORY COMMITTEE.—Chapter 555 of title 46, United States Code, is amended by adding at the end the following:

"§ 55502. Maritime Transportation System National Advisory Committee

''(a) ESTABLISHMENT.—There is established a Maritime Transportation System National Advisory Committee (in this section referred to as the 'Committee').

''(b) FUNCTION.—The Committee shall advise the Secretary of Transportation on matters relating to the United States maritime transportation system and its seamless integration with other segments of the transportation system, including the viability of the United States Merchant Marine.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall consist of 27 members appointed by the Secretary of Transportation in accordance with this section and section 15109.

''(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

''(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

''(A) At least one member shall represent the Environmental Protection Agency.

''(B) At least one member shall represent the Department of Commerce.

''(C) At least one member shall represent the Corps of Engineers.

''(D) At least one member shall represent the Coast Guard.

''(E) At least one member shall represent Customs and Border Protection.

''(F) At least one member shall represent State and local governmental entities.

''(G) Additional members shall represent private sector entities that reflect a cross-section of maritime industries, including port and water stakeholders, academia, and labor.

''(H) The Secretary may appoint additional representatives from other Federal agencies as the Secretary considers appropriate.

''(4) RESTRICTIONS ON MEMBERS REPRESENTING FEDERAL AGENCIES.—Members of the Committee that represent Federal agencies shall not—

''(A) comprise more than one-third of the total membership of the Committee or of any subcommittee therein; or

''(B) serve as the chair or co-chair of the Committee or of any subcommittee therein.

''(5) ADMINISTRATION.—For purposes of section 15109—

''(A) the Committee shall be treated as a committee established under chapter 151; and

''(B) the Secretary of Transportation shall fulfill all duties and responsibilities and have all authorities of the Secretary of Homeland Security with regard to the Committee.''.

(b) TREATMENT OF EXISTING COMMITTEE.—Notwithstanding any other provision of law—

(1) an advisory committee substantially similar to the Committee established by section 55502 of title 46, United States Code, and that was in force or in effect on the day before the date of the enactment of this Act, including the charter, membership, and other aspects of such advisory committee, may remain in force or in effect for the 2-year period beginning on the date of the enactment of this section; and

(2) during such 2-year period—

(A) requirements relating the Maritime Transportation System National Advisory Committee established by such section shall be treated as satisfied by such substantially similar advisory committee; and

(B) the enactment of this section shall not be the basis—

(i) to deem, find, or declare such committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such committee; or

(iii) to bar the members of such committee from a meeting.

(c) CLERICAL AMENDMENT.—The analysis for chapter 555 of title 46, United States Code, is amended by adding at the end the following:

''55502. Maritime Transportation System National Advisory Committee.''.

(d) REPEAL.—Section 55603 of title 46, United States Code, and the item relating to that section in the analysis for chapter 556 of that title, are repealed.

SEC. 3303. EXPIRED MARITIME LIENS.

Section 31343(e) of title 46, United States Code, is amended—

(1) by inserting ''(1)'' before ''A notice''; and

(2) by inserting after paragraph (1), as so designated by this section, the following:

''(2) On expiration of a notice of claim of lien under paragraph (1), and after a request by the vessel owner, the Secretary shall annotate the abstract of title to reflect the expiration of the lien.''.

SEC. 3304. GREAT LAKES PILOTAGE ADVISORY COMMITTEE.

(a) IN GENERAL.—Section 9307 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''seven'' and inserting ''8''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''representing the interests of'' and inserting ''chosen from among nominations made by'';

(ii) in subparagraph (C), by striking ''representing the interests of Great Lakes ports''

and inserting ''chosen from among nominations made by Great Lakes port authorities and marine terminals'';

(iii) in subparagraph (D)—

(I) by striking ''representing the interests of'' and inserting ''chosen from among nominations made by''; and

(II) by striking ''; and'' and inserting a semicolon;

(iv) by redesignating subparagraph (E) as subparagraph (F);

(v) by inserting after subparagraph (D) the following:

''(E) one member chosen from among nominations made by Great Lakes maritime labor organizations; and''; and

(vi) in subparagraph (F), as so redesignated, by striking ''with a background in finance or accounting,''; and

(2) in subsection (f)(1), by striking ''2020'' and inserting ''2030''.

(b) COMMITTEE DEEMED NOT EXPIRED.—Notwithstanding section 9307(f)(1) of title 46, United States Code, in any case in which the date of enactment of this Act occurs after September 30, 2020, the Great Lakes Pilotage Advisory Committee in existence as of September 30, 2020, shall be deemed not expired during the period beginning on September 30, 2020 through the date of enactment of this Act. Accordingly, the committee membership, charter, and the activities of such Committee shall continue as though such Committee had not expired.

SEC. 3305. NATIONAL COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.

(a) NATIONAL COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—

(1) AMENDMENTS TO SECTION 15102.—Section 15102 of title 46, United States Code, is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting ''and provide recommendations in writing to'' after ''advise''; and

(II) in subparagraph (E), by striking ''and'' after the semicolon; and

(ii) in paragraph (2)—

(I) by striking the period and inserting ''; and''; and

(II) by adding at the end the following:

''(3) review marine casualties and investigations of vessels covered by chapter 45 of this title and make recommendations to the Secretary to improve safety and reduce vessel casualties.''; and

(B) by adding at the end the following:

''(d) QUORUM.—A quorum of 10 members is required to send any written recommendations from the Committee to the Secretary.

''(e) SAVINGS CLAUSE.—Nothing in this section shall preclude the Secretary from taking emergency action to ensure safety and preservation of life at sea.''.

(2) AMENDMENTS TO SECTION 15109.—Section 15109 of title 46, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''Each'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), each''; and

(ii) by adding at the end the following:

''(2) MINIMUM REQUIREMENTS.—The committee established under section 15102, shall—

''(A) meet in-person, not less frequently than twice each year, at the call of the Secretary of a majority of the members of the committee;

''(B) hold additional meetings as necessary;

''(C) post the minutes of each meeting of the committee on a publicly available website not later than 2 weeks after the date on which a meeting concludes; and

''(D) provide reasonable public notice of any meeting of the committee, and publish such notice in the Federal Register and on a publicly available website.'';

(B) in subsection (f)(8)—

(i) by striking ''Notwithstanding'' and inserting the following:

''(A) REAPPOINTMENT.—Notwithstanding''; and

(ii) by adding at the end the following:

''(B) LIMITATION.—With respect to the committee established under section 15102, members may serve not more than 3 terms.'';

(C) in subsection (j)(3)—

(i) in subparagraph (B), by striking ''and'';

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) make all responses required by subparagraph (C) which are related to recommendations made by the committee established under section 15102 available to the public not later than 30 days after the date of response.'';

(D) by amending subsection (k) to read as follows:

''(k) OBSERVERS.—

''(1) IN GENERAL.—Any Federal agency with matters under such agency's administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

''(A) attend any meeting of such committee; and

''(B) participate as an observer at meetings of such committee that relate to such a matter.

''(2) NATIONAL COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—With respect to the committee established under section 15102, the Commandant of the Coast Guard shall designate a representative under paragraph (1).'';

(E) in subsection (l), by striking ''2027'' and inserting ''2029'';

(F) by redesignating subsection (l) as subsection (m);

(G) by inserting after subsection (k) the following:

''(l) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance to the Committee if requested by the Chairman.

''(2) COMMITTEE CONSULTATION.—With respect to the committee established under section 15102, the Chairman of the committee shall seek expertise from the fishing industry, marine safety experts, the shipbuilding industry, and others as the committee determines appropriate.''; and

(H) by adding at the end the following:

''(n) SAVINGS CLAUSE.—Nothing in this section shall preclude the Secretary from taking emergency action to ensure safety and preservation of life at sea.''.

SEC. 3306. EXEMPTION OF COMMERCIAL FISHING VESSELS OPERATING IN ALASKAN REGION FROM GLOBAL MARITIME DISTRESS AND SAFETY SYSTEM REQUIREMENTS OF FEDERAL COMMUNICATIONS COMMISSION.

(a) DEFINITION OF SECRETARY.—In this section, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(b) EXEMPTION.—Subject to subsection (c), the Federal Communications Commission shall exempt fishing vessels that primarily operate in the Alaskan Region, including fishing vessels that transit from States in the Pacific Northwest to conduct fishing operations in the Alaskan Region, from the requirements relating to carriage of VHF–DSC and MF–DSC equipment under subpart W of part 80 of title 47, Code of Federal Regulations, or any successor regulation.

(c) FUNCTIONAL REQUIREMENTS.—A fishing vessel exempted under subsection (b) shall—

(1) be capable of transmitting ship-to-shore distress alerts using not fewer than 2 separate and independent systems, each using a different radio communication service;

(2) be equipped with—

(A) a VHF radiotelephone installation;

(B) an MF or HF radiotelephone installation;

(C) a Category 1, 406.0–406.1 MHz EPIRB meeting the requirements of section 80.1061 of title 47, Code of Federal Regulations, or any successor regulation;

(D) a NAVTEX receiver meeting the requirements of section 80.1101(c)(1) of title 47, Code of Federal Regulations, or any successor regulation;

(E) survival craft equipment meeting the requirements of section 80.1095 of title 47, Code of Federal Regulations, or any successor regulation; and

(F) a Search and Rescue Transponder meeting the requirements of section 80.1101(c)(6) of title 47, Code of Federal Regulations, or any successor regulation;

(3) maintain a continuous watch on VHF Channel 16; and

(4) as an alternative to the equipment listed in subparagraphs (A) through (F) of paragraph (2), carry equipment found by the Federal Communications Commission, in consultation with the Secretary, to be equivalent or superior with respect to ensuring the safety of the vessel.

(d) DEFINITION OF ALASKAN REGION.—Not later than 30 days after the date of enactment of this Act, the Secretary shall define the term ''Alaskan Region'' for purposes of this section. The Secretary shall include in the definition of such term the area of responsibility of Coast Guard District 17.

Subtitle D—Ports

SEC. 3401. PORT, HARBOR, AND COASTAL FACILITY SECURITY.

Section 70116 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting '', cyber incidents, transnational organized crime, and foreign state threats'' after ''an act of terrorism'';

(2) in subsection (b)—

(A) in paragraphs (1) and (2), by inserting ''cyber incidents, transnational organized crime, and foreign state threats'' after ''terrorism'' each place it appears; and

(B) in paragraph (3)—

(i) by striking ''armed'' and inserting '', armed (as needed),''; and

(ii) by striking ''terrorism or transportation security incidents,'' and inserting ''terrorism, cyber incidents, transnational organized crime, foreign state threats, or transportation security incidents,''; and

(3) in subsection (c)—

(A) by striking ''70034,'' and inserting ''70033,''; and

(B) by adding at the end the following new sentence: ''When preventing or responding to acts of terrorism, cyber incidents, transnational organized crime, or foreign state threats, the Secretary may carry out this section without regard to chapters 5 and 6 of title 5 or Executive Orders 12866 and 13563.''.

SEC. 3402. AIMING LASER POINTER AT VESSEL.

(a) IN GENERAL.—Subchapter II of chapter 700 of title 46, United States Code, is amended by adding at the end the following:

''§ 70014. Aiming laser pointer at vessel

''(a) PROHIBITION.—It shall be unlawful to cause the beam of a laser pointer to strike a vessel operating on the navigable waters of the United States.

''(b) EXCEPTIONS.—This section shall not apply to a member or element of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training.

''(c) LASER POINTER DEFINED.—In this section the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 700 of title 46, United States Code, is amended by adding at the end the following:

''70014. Aiming laser pointer at vessel.''.

SEC. 3403. SAFETY OF SPECIAL ACTIVITIES.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct a 2-year pilot program to establish and implement a process to—

(1) establish safety zones to address special activities in the exclusive economic zone;

(2) account for the number of safety zones established for special activities;

(3) differentiate whether an applicant who requests a safety zone for such activities is—

(A) an individual;

(B) an organization; or

(C) a government entity; and

(4) account for Coast Guard resources utilized to enforce safety zones established for special activities, including—

(A) the number of Coast Guard or Coast Guard Auxiliary vessels used; and

(B) the number of Coast Guard or Coast Guard Auxiliary patrol hours required.

(b) BRIEFING.—Not later than 180 days after the expiration of the 2-year pilot program, the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding—

(1) the process required under subsection (a); and

(2) whether the authority to establish safety zones to address special activities in the exclusive economic zone should be extended or made permanent in the interest of safety.

(c) DEFINITIONS.—In this section:

(1) SAFETY ZONE.—The term ''safety zone'' has the meaning given such term in section 165.20 of title 33, Code of Federal Regulations.

(2) SPECIAL ACTIVITIES.—The term ''special activities'' includes—

(A) space activities, including launch and reentry, as such terms are defined in section 50902 of title 51, United States Code, carried out by United States citizens; and

(B) offshore energy development activities, as described in section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)), on or near a fixed platform.

(3) UNITED STATES CITIZEN.—The term ''United States citizen'' has the meaning given the term ''eligible owners'' in section 12103 of title 46, United States Code.

(4) FIXED PLATFORM.—The term ''fixed platform'' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.

SEC. 3404. SECURITY PLANS; REVIEWS.

Section 70103 of title 46, United States Code, is amended—

(1) by amending subsection (b)(3) to read as follows:

''(3) The Secretary shall review and approve Area Maritime Transportation Security Plans and updates under this subsection.''; and

(2) in subsection (c)(4), by inserting ''or update'' after ''plan'' each place it appears.

SEC. 3405. VESSEL TRAFFIC SERVICE.

Section 70001 of title 46, United States Code, is amended to read as follows:

''§ 70001. Vessel traffic services

''(a) IN GENERAL.—Subject to the requirements of section 70004, the Secretary—

''(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

''(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

''(3) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety, except that the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

''(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

''(A) specifying times of entry, movement, or departure;

''(B) establishing vessel traffic routing schemes;

''(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

''(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

''(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

''(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

''(b) NATIONAL POLICY.—

''(1) ESTABLISHMENT AND UPDATE OF NATIONAL POLICY.—

''(A) ESTABLISHMENT OF POLICY.—Not later than one year after the date of enactment of this section, the Secretary shall establish a national policy which is inclusive of local variances permitted under subsection (c), to be applied to all vessel traffic service centers and publish such policy in the Federal Register.

''(B) UPDATE.—The Secretary shall periodically update the national policy established under subparagraph (A) and shall publish such update in the Federal Register or on a publicly available website.

''(2) ELEMENTS.—The national policy established and updated under paragraph (1) shall include, at a minimum, the following:

''(A) Standardization of titles, roles, and responsibilities for all personnel assigned, working, or employed in a vessel traffic service center.

''(B) Standardization of organizational structure within vessel traffic service centers, to include supervisory and reporting chain and processes.

''(C) Establishment of directives for the application of authority provided to each vessel traffic service center, specifically with respect to directing or controlling vessel movement when such action is justified in the interest of safety.

''(D) Establishment of thresholds and measures for monitoring, informing, recommending, and directing vessel traffic.

''(E) Establishment of national procedures and protocols for vessel traffic management.

''(F) Standardization of training for all vessel traffic service directors, operators, and watchstanders.

''(G) Establishment of certification and competency evaluation for all vessel traffic service directors, operators, and watchstanders.

''(H) Establishment of standard operating language when communicating with vessel traffic users.

''(I) Establishment of data collection, storage, management, archiving, and dissemination policies and procedures for vessel incidents and near-miss incidents.

''(c) LOCAL VARIANCES.—

''(1) DEVELOPMENT.—In this section, the Secretary may provide for such local variances as the Secretary considers appropriate to account for the unique vessel traffic, waterway characteristics, and any additional factors that are appropriate to enhance navigational safety in any area where vessel traffic services are provided.

''(2) REVIEW AND APPROVAL BY SECRETARY.—The Captain of the Port covered by a vessel traffic service center may develop and submit to the Secretary regional policies in addition to the national policy established and updated under subsection (b) to account for variances from that national policy with respect to local vessel traffic conditions and volume, geography, water body characteristics, waterway usage, and any additional factors that the Captain considers appropriate.

''(3) REVIEW AND IMPLEMENTATION.—Not later than 180 days after receiving regional policies under paragraph (2)—

''(A) the Secretary shall review such regional policies; and

''(B) the Captain of the port concerned shall implement the policies that the Secretary approves.

''(4) MAINTENANCE.—The Secretary shall maintain a central depository for all local variances approved under this section.

''(d) COOPERATIVE AGREEMENTS.—

''(1) IN GENERAL.—The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1).

''(2) INTERNATIONAL COORDINATION.—With respect to vessel traffic service areas that cross international boundaries, the Secretary may enter into bilateral or cooperative agreements with international partners to jointly carry out the functions under subsection (a)(1) and to jointly manage such areas to collect, share, assess, and analyze information in the possession or control of the international partner.

''(3) LIMITATION.—

''(A) INHERENTLY GOVERNMENTAL FUNCTION.—A nongovernmental entity may not under this subsection carry out an inherently governmental function.

''(B) DEFINITION OF INHERENTLY GOVERNMENTAL FUNCTION.—In this paragraph, the term 'inherently governmental function' means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of judgment in making a decision for the Government.

''(4) DISCLOSURE.—The Commandant of the Coast Guard shall de-identify information prior to release to the public, including near miss incidents.

''(e) PERFORMANCE EVALUATION.—

''(1) IN GENERAL.—The Secretary shall develop and implement a standard method for evaluating the performance of vessel traffic service centers.

''(2) ELEMENTS.—The standard method developed and implemented under paragraph (1) shall include, at a minimum, analysis and collection of data with respect to the following within a vessel traffic service area covered by each vessel traffic service center:

''(A) Volume of vessel traffic, categorized by type of vessel.

''(B) Total volume of flammable, combustible, or hazardous liquid cargo transported, categorized by vessel type as provided in the Notice of Arrival, if applicable, or as determined by other means.

''(C) Data on near-miss incidents.

''(D) Data on marine casualties.

''(E) Application by vessel traffic operators of traffic management authority during near-miss incidents and marine casualties.

''(F) Other additional methods as the Secretary considers appropriate.

''(3) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, and biennially thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the evaluation conducted under paragraph (1) of the performance of vessel traffic service centers, including—

''(A) recommendations to improve safety and performance; and

''(B) data regarding marine casualties and near-miss incidents that have occurred during the period covered by the report.

''(f) RISK ASSESSMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall develop a continuous risk assessment program to evaluate and mitigate safety risks for each vessel traffic service area to improve safety and reduce the risks of oil and hazardous material discharge in navigable waters.

''(2) METHOD FOR ASSESSMENT.—The Secretary, in coordination with stakeholders and the public, shall develop a standard method for conducting risk assessments under paragraph (1) that includes the collection and management of all information necessary to identify and analyze potential hazardous navigational trends within a vessel traffic service area.

''(3) INFORMATION TO BE ASSESSED.—

''(A) IN GENERAL.—The Secretary shall ensure that a risk assessment conducted under paragraph (1) includes an assessment of the following:

''(i) Volume of vessel traffic, categorized by type of vessel.

''(ii) Total volume of flammable, combustible, or hazardous liquid cargo transported, categorized by vessel type as provided in the Notice of Arrival, if applicable, or as determined by other means.

''(iii) Data on near-miss events incidents.

''(iv) Data on marine casualties.

''(v) Geographic locations for near-miss events incidents and marine casualties, including latitude and longitude.

''(vi) Cyclical risk factors such as weather, seasonal water body currents, tides, bathymetry, and topography.

''(vii) Weather data, in coordination with the National Oceanic and Atmospheric Administration.

''(B) INFORMATION STORAGE AND MANAGEMENT POLICIES.—The Secretary shall retain all information collected under subparagraph (A) and ensure policies and procedures are in place to standardize the format in which that information is retained to facilitate statistical analysis of that information to calculate within a vessel traffic service area, at a minimum, the incident rate, intervention rate, and casualty prevention rate.

''(4) PUBLIC AVAILABILITY.—

''(A) ASSESSMENTS AND INFORMATION.—In accordance with section 552 of title 5, the Secretary shall make any risk assessments conducted under paragraph (1) and any information collected under paragraph (3)(A) available to the public.

''(B) INFORMATION IN POSSESSION OR CONTROL OF INTERNATIONAL PARTNERS.—The Secretary shall endeavor to coordinate with international partners as described in subsection (d)(2) to enter into agreements to make information collected, shared, and analyzed under that paragraph available to the public.

''(C) DISCLOSURE.—The Commandant of the Coast Guard shall de-identify information prior to release to the public, including near-miss incidents.

''(g) VESSEL TRAFFIC SERVICE TRAINING.—

''(1) TRAINING PROGRAM.—

''(A) IN GENERAL.—The Secretary shall develop a comprehensive nationwide training program for all vessel traffic service directors, operators, and watchstanders.

''(B) ELEMENTS.—The comprehensive nationwide training program under subparagraph (A) and any variances to that program under subsection (c) shall include, at a minimum, the following:

''(i) Realistic vessel traffic scenarios to the maximum extent practicable that integrate—

''(I) the national policy developed under subsection (b);

''(II) international rules under the International Navigational Rules Act of 1977 (33 U.S.C. 1601 et seq.);

''(III) inland navigation rules under part 83 of title 33, Code of Federal Regulations;

''(IV) the application of vessel traffic authority; and

''(V) communication with vessel traffic service users.

''(ii) Proficiency training with respect to use, interpretation, and integration of available data on vessel traffic service display systems such as radar, and vessel automatic identification system feeds.

''(iii) Practical application of—

''(I) the international rules under the International Navigational Rules Act of 1977 (33 U.S.C. 1601 et seq.); and

''(II) the inland navigation rules under part 83 of title 33, Code of Federal Regulations.

''(iv) Proficiency training with respect to the operation of radio communications equipment and any other applicable systems necessary to execute vessel traffic service authorities.

''(v) Incorporation of the Standard Marine Communication Phrases adopted by the International Maritime Organization by resolution on April 4, 2000, as amended and consolidated, or any successor resolution.

''(vi) Incorporation to the maximum extent possible of guidance and recommendations contained in vessel traffic services operator training, vessel traffic services supervisor training, or other relevant training set forth by the International Association of Marine Aids to Navigation and Lighthouse Authorities.

''(vii) A minimum number of hours of training for an individual to complete before the individual is qualified to fill a vessel traffic services position without supervision.

''(viii) Local area geographic and operational familiarization.

''(ix) Such additional components as the Secretary considers appropriate.

''(2) STANDARD COMPETENCY QUALIFICATION PROCESS.—

''(A) IN GENERAL.—The Secretary shall develop a standard competency qualification process to be applied to all personnel assigned, employed, or working in a vessel traffic service center.

''(B) APPLICATION OF PROCESS.—The competency qualification process developed under subparagraph (A) shall include measurable thresholds for determining proficiency.

''(3) INTERNATIONAL AND INLAND NAVIGATION RULES TEST.—

''(A) IN GENERAL.—All personnel assigned, employed, or working in a vessel traffic service center with responsibilities that include communicating, interacting, or directing vessels within a vessel traffic service area, as determined under the national policy developed under subsection (b), shall be required to pass a United States international and inland navigation rules test developed by the Secretary.

''(B) ELEMENTS OF TEST.—The Secretary shall determine the content and passing standard for the rules test developed under subparagraph (A).

''(C) TESTING FREQUENCY.—The Secretary shall establish a frequency, not to exceed once every 5 years, for personnel described in subparagraph (A) to be required to pass the rules test developed under such subparagraph.

''(h) RESEARCH ON VESSEL TRAFFIC.—

''(1) VESSEL COMMUNICATION.—The Secretary shall conduct research, in consultation with subject matter experts identified by the Secretary, to develop more effective procedures for monitoring vessel communications on radio frequencies to identify and address unsafe situations in a vessel traffic service area. The Secretary shall consider data collected under subparagraph (A) of subsection (f)(3).

''(2) PROFESSIONAL MARINER REPRESENTATION.—

''(A) IN GENERAL.—The Secretary shall conduct research, in consultation with local stakeholders and subject matter experts identified by the Secretary, to evaluate and determine the feasibility, costs and benefits of representation by professional mariners on the vessel traffic service watchfloor at each vessel traffic service center.

''(B) IMPLEMENTATION.—The Secretary shall implement representation by professional mariners on the vessel traffic service watchfloor at those vessel traffic service centers for which it is determined feasible and beneficial pursuant to research conducted under subparagraph (A).

''(i) INCLUSION OF IDENTIFICATION SYSTEM ON CERTAIN VESSELS.—

''(1) IN GENERAL.—The National Navigation Safety Advisory Committee shall advise and provide recommendations to the Secretary on matters relating to the practicability, economic costs, regulatory burden, and navigational impact of outfitting vessels lacking independent means of propulsion that carry flammable, combustible, or hazardous liquid

cargo with vessel automatic identification systems.

''(2) REGULATIONS.—Based on the evaluation under paragraph (1), the Secretary shall prescribe such regulations as the Secretary considers appropriate to establish requirements relating to the outfitting of vessels described in such subparagraph with vessel automatic identification systems.

''(j) PERIODIC REVIEW OF VESSEL TRAFFIC SERVICE NEEDS.—

''(1) IN GENERAL.—Based on the performance evaluation conducted under subsection (e) and the risk assessment conducted under subsection (f), the Secretary shall periodically review vessel traffic service areas to determine—

''(A) if there are any additional vessel traffic service needs in those areas; and

''(B) if a vessel traffic service area should be moved or modified.

''(2) INFORMATION TO BE ASSESSED.—

''(A) IN GENERAL.—The Secretary shall ensure that a review conducted under paragraph (1) includes an assessment of the following:

''(i) Volume of vessel traffic, categorized by type of vessel.

''(ii) Total volume of flammable, combustible, or hazardous liquid cargo transported, categorized by vessel type as provided in the Notice of Arrival, if applicable, or as determined by other means.

''(iii) Data on near miss incidents.

''(iv) Data on marine casualties.

''(v) Geographic locations for near-miss incidents and marine casualties, including latitude and longitude.

''(vi) Cyclical risk factors such as weather, seasonal water body currents, tides, bathymetry, and topography.

''(vii) Weather data, in coordination with the National Oceanic and Atmospheric Administration.

''(3) STAKEHOLDER INPUT.—In conducting the periodic reviews under paragraph (1), the Secretary shall seek input from port and waterway stakeholders to identify areas of increased vessel conflicts or marine casualties that could benefit from the use of routing measures or vessel traffic service special areas to improve safety, port security, and environmental protection.

''(4) DISCLOSURE.—The Commandant of the Coast Guard shall de-identify information prior to release to the public, including near miss incidents.

''(k) LIMITATION OF LIABILITY FOR COAST GUARD VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—

''(1) COAST GUARD VESSEL TRAFFIC SERVICE PILOTS.—Any pilot, acting in the course and scope of his or her duties while at a Coast Guard Vessel Traffic Service Center, who provides information, advice, or communication assistance while under the supervision of a Coast Guard officer, member, or employee shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

''(2) NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—An entity operating a non-Federal vessel traffic information service or advisory service pursuant to a duly executed written agreement with the Coast Guard, and any pilot acting on behalf of such entity, is not liable for damages caused by or related to information, advice, or communication assistance provided by such entity or pilot while so operating or acting unless the acts or omissions of such entity or pilot constitute gross negligence or willful misconduct.

''(l) EXISTING AUTHORITY.—Nothing in this section shall be construed to alter the existing authorities of the Secretary to enhance navigation, vessel safety, marine environmental protection, and to ensure safety and preservation of life and property at sea.

''(m) DEFINITIONS.—In this section:

''(1) HAZARDOUS LIQUID CARGO.—The term 'hazardous liquid cargo' has the meaning given that term in regulations prescribed under section 5103 of title 49.

''(2) MARINE CASUALTY.—The term 'marine casualty' has the meaning given that term in regulations prescribed under section 6101(a).

''(3) VESSEL TRAFFIC SERVICE AREA.—The term 'vessel traffic service area' means an area specified in subpart C of part 161 of title 33, Code of Federal Regulations, or any successor regulation.

''(4) VESSEL TRAFFIC SERVICE CENTER.—The term 'vessel traffic service center' means a center for the provision of vessel traffic services in a vessel traffic service area.

''(5) NEAR MISS INCIDENT.—The term 'near miss incident' means any occurrence or series of occurrences having the same origin, involving one or more vessels, facilities, or any combination thereof, resulting in the substantial threat of a marine casualty.

''(6) DE-IDENTIFIED.—The term 'de-identified' means the process by which all information that is likely to establish the identity of the specific persons or entities noted in the reports, data, or other information is removed from the reports, data, or other information.''.

SEC. 3406. TRANSPORTATION WORK IDENTIFICATION CARD PILOT PROGRAM.

Section 70105(g) of title 46, United States Code, is amended by striking ''shall concurrently'' and all that follows and inserting the following: ''shall—

''(1) develop and, no later than 2 years after the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, implement a joint application for merchant mariner's documents under chapter 73 and for a transportation security card issued under this section; and

''(2) upon receipt of a joint application developed under paragraph (1) concurrently process an application from an individual for merchant mariner's documents under chapter 73 and an application from such individual for a transportation security card under this section.''.

TITLE IV—MISCELLANEOUS

Subtitle A—Navigation and Shipping

SEC. 4101. COASTWISE TRADE.

(a) IN GENERAL.—The Commandant shall review the adequacy of and continuing need for provisions in title 46, Code of Federal Regulations, that require a United States vessel documented under chapter 121 of title 46, United States Code, possessing a coastwise endorsement under that chapter, and engaged in coastwise trade, to comply with regulations for vessels engaged in an international voyage.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the findings of the review required under subsection (a) and a discussion of how existing laws and regulations could be amended to ensure the safety of vessels described in subsection (a) while infringing as little as possible on commerce.

SEC. 4102. TOWING VESSELS OPERATING OUTSIDE BOUNDARY LINE.

(a) DEFINITIONS.—In this section—

(1) the term ''Boundary Line'' has the meaning given the term in section 103 of title 46, United States Code;

(2) the term ''Officer in Charge, Marine Inspection'' has the meaning given the term in section 3305(d)(4) of title 46, United States Code; and

(3) the term ''Secretary'' means the Secretary of the Department in which the Coast Guard is operating.

(b) INTERIM EXEMPTION.—A towing vessel described in subsection (c) and a response vessel included on a vessel response plan are exempt from any additional requirements of subtitle II of title 46, United States Code, and chapter I of title 33 and chapter I of title 46, Code of Federal Regulations (as in effect on the date of the enactment of this Act), that would result solely from such vessel operating outside the Boundary Line, if—

(1) the vessel is—

(A) operating outside the Boundary Line solely to perform regular harbor assist operations; or

(B) listed as a response vessel on a vessel response plan and is operating outside the Boundary Line solely to perform duties of a response vessel;

(2) the vessel is approved for operations outside the Boundary Line by the Officer in Charge, Marine Inspection and the Coast Guard Marine Safety Center; and

(3) the vessel has sufficient manning and lifesaving equipment for all persons on board, in accordance with part 15 and section 141.225 of title 46, Code of Federal Regulations (or any successor regulation).

(c) APPLICABILITY.—This section applies to a towing vessel—

(1) that is subject to inspection under chapter 33 of title 46, United States Code, and subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation);

(2) with only ''Lakes, Bays, and Sounds'' or ''Rivers'' routes recorded on such vessel's certificate of inspection pursuant to section 136.230 of title 46, Code of Federal Regulations (or any successor regulation);

(3) that, with respect to a vessel described in subsection (b)(1)(A), is operating as a harbor assist vessel and regularly engaged in harbor assist operations, including the docking, undocking, mooring, unmooring, and escorting of vessels with limited maneuverability; and

(4) that, with respect to a vessel that is described in subsection (b)(1)(B), is listed—

(A) on a vessel response plan under part 155 of title 33, Code of Federal Regulations, on the date of approval of the vessel response plan; or

(B) by name or reference in the vessel response plan's geographic-specific appendix on the date of approval of the vessel response plan.

(d) LIMITATIONS.—A vessel exempted under subsection (b) is subject to the following operating limitations:

(1) The voyage of a vessel described in subsection (b)(1)(A) shall—

(A) be less than 12 hours in total duration;

(B) originate and end in the inspection zone of a single Officer in Charge, Marine Inspection; and

(C) occur no further than 10 nautical miles from the Boundary Line.

(2) The voyage of a vessel described in subsection (b)(1)(B) shall—

(A) originate and end in the inspection zone of a single Officer in Charge, Marine Inspection; and

(B) either—

(i) in the case of a voyage in the territorial waters of Alaska, Guam, Hawaii, American Samoa, and the Northern Mariana Islands, have sufficient manning as determined by the Secretary; or

(ii) be less than 12 hours.

(e) SAFETY.—

(1) SAFETY RESTRICTIONS.—The Officer in Charge, Marine Inspection for an inspection zone may restrict operations under the interim exemption provided under subsection (b) for safety purposes.

(2) COMPREHENSIVE LISTS.—The Officer in Charge, Marine Inspection for an inspection zone shall maintain and periodically update a comprehensive list of all towing vessels described in subsection (c) that operate in the inspection zone.

(3) NOTIFICATION.—Not later than 24 hours prior to intended operations outside of the Boundary Line, a towing vessel exempted under subsection (b) shall notify the Office in Charge, Marine Inspection for the inspection zone of such operations. Such notification shall include—

(A) the date, time, and length of voyage;

(B) a crew list, with each crew member's credentials and work hours; and

(C) an attestation from the master of the towing vessel that the vessel has sufficient manning and lifesaving equipment for all persons on board.

(f) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the following:

(1) The impacts of the interim exemption provided under this section.

(2) Any safety concerns regarding the expiration of such interim exemption.

(3) Whether such interim exemption should be extended.

(g) TERMINATION.—The interim exemption provided under subsection (b) shall terminate on the date that is 2 years after the date of the enactment of this Act.

SEC. 4103. SENSE OF CONGRESS REGARDING THE MARITIME INDUSTRY OF THE UNITED STATES.

It is the sense of Congress that the maritime industry of the United States contributes to the Nation's economic prosperity and national security.

SEC. 4104. CARGO PREFERENCE STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit regarding the enforcement of the United States Cargo Preference Laws set forth in sections 55302, 55303, 55304, and 55305 of title 46, United States Code, and section 2631 of title 10, United States Code (hereinafter in this section referred to as the ''United States Cargo Preference Laws'').

(b) SCOPE.—The audit conducted under subsection (a) shall include, for the period from October 14, 2008, until the date of the enactment of this Act—

(1) a listing of the agencies and organizations required to comply with the United States Cargo Preference Laws;

(2) an analysis of the compliance or noncompliance of such agencies and organizations with such laws, including—

(A) the total amount of oceangoing cargo that each such agency, organization, or contractor procured for its own account or for which financing was in any way provided with Federal funds, including loan guarantees;

(B) the percentage of such cargo shipped on privately owned commercial vessels of the United States;

(C) an assessment of internal programs and controls used by each such agency or organization to monitor and ensure compliance with the United States Cargo Preference Laws, to include education, training, and supervision of its contracting personnel, and the procedures and controls used to monitor compliance with cargo preference requirements by contractors and subcontractors; and

(D) instances in which cargoes are shipped on foreign-flag vessels under non-availability determinations but not counted as such for purposes of calculating cargo preference compliance; and

(3) an overview of enforcement activities undertaken by the Maritime Administration from October 14, 2008, until the date of the enactment of this Act, including a listing of all bills of lading collected by the Maritime Administration during that period.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the audit and providing recommendations related to such results, to include—

(1) actions that should be taken by agencies and organizations to fully comply with the United States Cargo Preference Laws; and

(2) Other measures that may compel agencies and organizations, and their contractors and subcontractors, to use United States flag vessels in the international transportation of ocean cargoes as mandated by the United States Cargo Preference Laws.

SEC. 4105. TOWING VESSEL INSPECTION FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for towing vessels required to have a Certificate of Inspection under subchapter M of title 46, Code of Federal Regulations, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282); and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.

Subtitle B—Maritime Domain Awareness

SEC. 4201. UNMANNED MARITIME SYSTEMS AND SATELLITE VESSEL TRACKING TECHNOLOGIES.

(a) ASSESSMENT.—The Commandant, acting through the Blue Technology Center of Expertise, shall regularly assess available unmanned maritime systems and satellite vessel tracking technologies for potential use to support missions of the Coast Guard.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and biennially thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actual and potential effects of the use of then-existing unmanned maritime systems and satellite vessel tracking technologies on the mission effectiveness of the Coast Guard.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) An inventory of current unmanned maritime systems used by the Coast Guard, an overview of such usage, and a discussion of the mission effectiveness of such systems, including any benefits realized or risks or negative aspects of such usage.

(B) An inventory of satellite vessel tracking technologies, and a discussion of the potential mission effectiveness of such technologies, including any benefits or risks or negative aspects of such usage.

(C) A prioritized list of Coast Guard mission requirements that could be met with additional unmanned maritime systems, or with satellite vessel tracking technologies, and the estimated costs of accessing, acquiring, or operating such systems, taking into consideration the interoperability of such systems with the current and future fleet of—

(i) National Security Cutters;

(ii) Fast Response Cutters;

(iii) Offshore Patrol Cutters;

(iv) Polar Security Cutters; and

(v) in-service legacy cutters, including the 210- and 270-foot medium endurance cutters and 225-foot Buoy Tenders.

(c) DEFINITIONS.—In this section:

(1) UNMANNED MARITIME SYSTEMS.—

(A) IN GENERAL.—The term ''unmanned maritime systems'' means—

(i) remotely operated or autonomous vehicles produced by the commercial sector designed to travel in the air, on or under the ocean surface, on land, or any combination thereof, and that function without an onboard human presence; and

(ii) associated components of such vehicles, including control and communications systems, data transmission systems, and processing systems.

(B) EXAMPLES.—Such term includes the following:

(i) Unmanned undersea vehicles.

(ii) Unmanned surface vehicles.

(iii) Unmanned aerial vehicles.

(iv) Autonomous underwater vehicles.

(v) Autonomous surface vehicles.

(vi) Autonomous aerial vehicles.

(2) AVAILABLE UNMANNED MARITIME SYSTEMS.—The term ''available unmanned maritime systems'' includes systems that can be purchased commercially or are in use by the Department of Defense or other Federal agencies.

(3) SATELLITE VESSEL TRACKING TECHNOLOGIES.—The term ''satellite vessel tracking technologies'' means shipboard broadcast systems that use satellites and terrestrial receivers to continually track vessels.

SEC. 4202. UNMANNED AIRCRAFT SYSTEMS TESTING.

(a) TRAINING AREA.—The Commandant shall carry out and update, as appropriate, a program for the use of one or more training areas to facilitate the use of unmanned aircraft systems and small unmanned aircraft to support missions of the Coast Guard.

(b) DESIGNATION OF AREA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall, as part of the program under subsection (a), designate an area for the training, testing, and development of unmanned aircraft systems and small unmanned aircraft.

(2) CONSIDERATIONS.—In designating a training area under paragraph (1), the Commandant shall—

(A) ensure that such training area has or receives all necessary Federal Aviation Administration flight authorization; and

(B) take into consideration all of the following attributes of the training area:

(i) Direct over-water maritime access from the site.

(ii) The availability of existing Coast Guard support facilities, including pier and dock space.

(iii) Proximity to existing and available offshore Warning Area airspace for test and training.

(iv) Existing facilities and infrastructure to support unmanned aircraft system-augmented, and small unmanned aircraft-augmented, training, evaluations, and exercises.

(v) Existing facilities with a proven track record of supporting unmanned aircraft systems and small unmanned aircraft systems flight operations.

(c) DEFINITIONS.—In this section—

(1) the term ''existing'' means as of the date of enactment of this Act; and

(2) the terms ''small unmanned aircraft'' and ''unmanned aircraft system'' have the

meanings given those terms in section 44801 of title 49, United States Code.

SEC. 4203. LAND-BASED UNMANNED AIRCRAFT SYSTEM PROGRAM OF COAST GUARD.

(a) FUNDING FOR CERTAIN ENHANCED CAPABILITIES.—Section 319 of title 14, United States Code, is amended by adding at the end the following new subsection:

''(c) FUNDING FOR CERTAIN ENHANCED CAPABILITIES.—In each of fiscal years 2020 and 2021, the Commandant may provide additional funding of $5,000,000 for additional long-range maritime patrol aircraft, acquired through full and open competition.''.

(b) REPORT ON USE OF UNMANNED AIRCRAFT SYSTEMS FOR CERTAIN SURVEILLANCE.—

(1) REPORT REQUIRED.—Not later than March 31, 2021, the Commandant, in coordination with the Administrator of the Federal Aviation Administration on matters related to aviation safety and civilian aviation and aerospace operations, shall submit to the appropriate committees of Congress a report setting forth an assessment of the feasibility and advisability of using unmanned aircraft systems for surveillance of marine protected areas, the transit zone, and the Arctic in order to—

(A) establish and maintain regular maritime domain awareness of such areas;

(B) ensure appropriate response to illegal activities in such areas; and

(C) collaborate with State, local, and tribal authorities, and international partners, in surveillance missions over their waters in such areas.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

SEC. 4204. PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

(a) PROHIBITION ON AGENCY OPERATION OR PROCUREMENT.—The Commandant may not operate or enter into or renew a contract for the procurement of—

(1) an unmanned aircraft system that—

(A) is manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

(C) uses a ground control system or operating software developed in a covered foreign country or by an entity domiciled in a covered foreign country; or

(D) uses network connectivity or data storage located in or administered by an entity domiciled in a covered foreign country; or

(2) a system manufactured in a covered foreign country or by an entity domiciled in a covered foreign country for the detection or identification of unmanned aircraft systems.

(b) EXEMPTION.—

(1) IN GENERAL.—The Commandant is exempt from the restriction under subsection (a) if—

(A) the operation or procurement is for the purposes of—

(i) counter-UAS system surrogate testing and training; or

(ii) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training; or

(B) the Commandant receives a certification from the Coast Guard unit requesting to operate or procure an unmanned aircraft system otherwise restricted under subsection (a), which shall include supporting manufacturer information, that the unmanned aircraft system does not—

(i) connect to the internet or an outside telecommunications service;

(ii) connect to other devices or electronics, except as necessary to perform the mission; or

(iii) perform any missions in support of classified information or that may threaten national security.

(2) EXPIRATION.—The authority under this subsection to operate or procure an unmanned aircraft system otherwise restricted under subsection (a) expires on the date that is two years after the date of the enactment of this Act.

(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case by case basis by certifying in writing to the Department of Homeland Security and the relevant committees of jurisdiction that the operation or procurement is required in the national interest of the United States.

(d) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means the People's Republic of China.

(2) COUNTER-UAS SYSTEM.—The term ''counter-UAS system'' has the meaning given such term in section 44801 of title 49, United States Code.

(3) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 4205. UNITED STATES COMMERCIAL SPACE-BASED RADIO FREQUENCY MARITIME DOMAIN AWARENESS TESTING AND EVALUATION PROGRAM.

(a) TESTING AND EVALUATION PROGRAM.—The Secretary of the department in which the Coast Guard is operating, acting through the Blue Technology Center of Expertise, shall carry out a testing and evaluation program of United States commercial space-based radio frequency geolocation and maritime domain awareness products and services to support the mission objectives of maritime enforcement by the Coast Guard and other components of the Coast Guard. The objectives of this testing and evaluation program shall include—

(1) developing an understanding of how United States commercial space-based radio frequency data products can meet current and future mission requirements;

(2) establishing how United States commercial space-based radio frequency data products should integrate into existing work flows; and

(3) establishing how United States commercial space-based radio frequency data products could be integrated into analytics platforms.

(b) REPORT.—Not later than 240 days after the date of enactment of this Act, such Secretary shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing and evaluation program under subsection (a), including recommendations on how the Coast Guard should fully exploit United States commercial space-based radio frequency data products to meet current and future mission requirements.

SEC. 4206. AUTHORIZATION OF USE OF AUTOMATIC IDENTIFICATION SYSTEMS DEVICES TO MARK FISHING EQUIPMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''Automatic Identification System'' has the meaning given the term in section 164.46(a) of title 33, Code of Federal Regulations, or any successor regulation;

(2) the term ''Automatic Identification System device'' means a covered device that operates in radio frequencies assigned to the Automatic Identification System;

(3) the term ''Commission'' means the Federal Communications Commission; and

(4) the term ''covered device'' means a device used to mark fishing equipment.

(b) RULEMAKING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Commandant, the Secretary of State, and the Secretary of Commerce (acting through the Administrator of National Telecommunications and Information Administration), shall initiate a rulemaking proceeding to consider whether to authorize covered devices to operate in radio frequencies assigned to the Automatic Identification System.

(c) CONSIDERATIONS.—In conducting the rulemaking under subsection (b), the Commission shall consider whether imposing requirements with respect to the manner in which Automatic Identification System devices are deployed and used would enable the authorization of covered devices to operate in radio frequencies assigned to the Automatic Identification System consistent with the core purpose of the Automatic Identification System to prevent maritime accidents.

Subtitle C—Arctic

SEC. 4301. COAST GUARD ARCTIC PRIORITIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The strategic importance of the Arctic continues to increase as the United States and other countries recognize the military significance of the sea lanes and choke points within the region and understand the potential for power projection from the Arctic into multiple regions.

(2) Russia and China have conducted military exercises together in the Arctic, have agreed to connect the Northern Sea Route, claimed by Russia, with China's Maritime Silk Road, and are working together in developing natural gas resources in the Arctic.

(3) The economic significance of the Arctic continues to grow as countries around the globe begin to understand the potential for maritime transportation through, and economic and trade development in, the region.

(4) Increases in human, maritime, and resource development activity in the Arctic region may create additional mission requirements for the Department of Defense and the Department of Homeland Security.

(5) The increasing role of the United States in the Arctic has been highlighted in each of the last four national defense authorization acts.

(6) The United States Coast Guard Arctic Strategic Outlook released in April 2019 states, ''Demonstrating commitment to operational presence, Canada, Denmark, and Norway have made strategic investments in ice-capable patrol ships charged with national or homeland security missions. The United States is the only Arctic State that has not made similar investments in ice-capable surface maritime security assets. This limits the ability of the Coast Guard, and the Nation, to credibly uphold sovereignty or respond to contingencies in the Arctic.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Arctic is a region of strategic importance to the national security interests of the United States, and the Coast Guard must better align its mission prioritization and development of capabilities to meet the growing array of challenges in the region;

(2) the increasing freedom of navigation and expansion of activity in the Arctic must be met with an increasing show of Coast

Guard forces capable of exerting influence through persistent presence;

(3) Congress fully supports the needed and important re-capitalization of the fleet of cutters and aircraft of the Coast Guard, but, the Coast Guard must avoid overextending operational assets for remote international missions at the cost of dedicated focus on this domestic area of responsibility with significant international interest and activity; and

(4) although some progress has been made to increase awareness of Arctic issues and to promote increased presence in the region, additional measures are needed to protect vital economic, environmental, and national security interests of the United States, and to show the commitment of the United States to this emerging strategic choke point of increasing great power competition.

(c) 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. 4302. ARCTIC PARS NATIVE ENGAGEMENT.

The Commandant shall—

(1) engage directly with local coastal whaling and fishing communities in the Arctic region when conducting the Alaskan Arctic Coast Port Access Route Study, in accordance with chapter 700 of title 46, United States Code, and as described in the notice of study published in the Federal Register on December 21, 2018 (83 Fed. Reg. 65701); and

(2) consider the concerns of the Arctic coastal community regarding any Alaskan Arctic Coast Port Access Route, including safety needs and concerns.

SEC. 4303. VOTING REQUIREMENT.

Section 305(i)(1)(G)(iv) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)(1)(G)(iv)) is amended to read as follows:

''(iv) VOTING REQUIREMENT.—The panel may act only by the affirmative vote of at least 5 of its members, except that any decision made pursuant to the last sentence of subparagraph (C) shall require the unanimous vote of all 6 members of the panel.''.

SEC. 4304. REPORT ON THE ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the appropriate committees of Congress a report setting forth the results of a study on the Arctic capabilities of the Armed Forces. The Secretary shall enter into a contract with an appropriate federally funded research and development center for the conduct of the study.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A comparison of the capabilities of the United States, the Russian Federation, the People's Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions.

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces.

(3) An assessment of the potential security risk posed to Coast Guard forces by military forces of other countries operating in the Arctic in conditions inaccessible to Navy surface or aviation forces in the manner such forces currently operate.

(4) A comparison of the domain awareness capabilities of—

(A) Coast Guard forces operating alone; and

(B) Coast Guard forces operating in tandem with Navy surface and aviation forces and the surface and aviation forces of other allies.

(5) A comparison of the defensive capabilities of—

(A) Coast Guard forces operating alone; and

(B) Coast Guard forces operating in mutual defense with Navy forces, other Armed Forces, and the military forces of allies.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain 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 Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

SEC. 4305. REPORT ON ARCTIC SEARCH AND RESCUE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the search and rescue capabilities of the Coast Guard in Arctic coastal communities.

(b) CONTENTS.—The report under subsection (a) shall include the following:

(1) An identification of ways in which the Coast Guard can more effectively partner with Arctic coastal communities to respond to search and rescue incidents through training, funding, and deployment of assets.

(2) An analysis of the costs of forward deploying on a seasonal basis Coast Guard assets in support of such communities for responses to such incidents.

SEC. 4306. ARCTIC SHIPPING FEDERAL ADVISORY COMMITTEE.

(a) PURPOSE.—The purpose of this section is to establish a Federal advisory committee to provide policy recommendations to the Secretary of Transportation on positioning the United States to take advantage of emerging opportunities for Arctic maritime transportation.

(b) DEFINITIONS.—In this section:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Arctic Shipping Federal Advisory Committee established under subsection (c)(1).

(2) ARCTIC.—The term ''Arctic'' has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(3) ARCTIC SEA ROUTES.—The term ''Arctic Sea Routes'' means the international Northern Sea Route, the Transpolar Sea Route, and the Northwest Passage.

(c) ESTABLISHMENT OF THE ARCTIC SHIPPING FEDERAL ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF ADVISORY COMMITTEE.—

(A) IN GENERAL.—The Secretary of Transportation, in coordination with the Secretary of State, the Secretary of Defense acting through the Secretary of the Army and the Secretary of the Navy, the Secretary of Commerce, and the Secretary of the Department in which the Coast Guard is operating, shall establish an Arctic Shipping Federal Advisory Committee in the Department of Transportation to advise the Secretary of Transportation and the Secretary of the Department in which the Coast Guard is operating on matters related to Arctic maritime transportation, including Arctic seaway development.

(B) MEETINGS.—The Advisory Committee shall meet at the call of the Chairperson, and at least once annually in Alaska.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Advisory Committee shall be composed of 17 members as described in subparagraph (B).

(B) COMPOSITION.—The members of the Advisory Committee shall be—

(i) 1 individual appointed and designated by the Secretary of Transportation to serve as the Chairperson of the Advisory Committee;

(ii) 1 individual appointed and designated by the Secretary of the Department in which the Coast Guard is operating to serve as the Vice Chairperson of the Advisory Committee;

(iii) 1 designee of the Secretary of Commerce;

(iv) 1 designee of the Secretary of State;

(v) 1 designee of the Secretary of Transportation;

(vi) 1 designee of the Secretary of Defense;

(vii) 1 designee from the State of Alaska, nominated by the Governor of Alaska and designated by the Secretary of Transportation;

(viii) 1 designee from the State of Washington, nominated by the Governor of Washington and designated by the Secretary of Transportation;

(ix) 3 Alaska Native Tribal members;

(x) 1 individual representing Alaska Native subsistence co-management groups affected by Arctic maritime transportation;

(xi) 1 individual representing coastal communities affected by Arctic maritime transportation;

(xii) 1 individual representing vessels of the United States (as defined in section 116 of title 46, United States Code) participating in the shipping industry;

(xiii) 1 individual representing the marine safety community;

(xiv) 1 individual representing the Arctic business community; and

(xv) 1 individual representing maritime labor organizations.

(C) TERMS.—

(i) LIMITATIONS.—Each member of the Advisory Committee described in clauses (vii) through (xv) of subparagraph (B) shall serve for a 2-year term and shall not be eligible for more than 2 consecutive term reappointments.

(ii) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall not affect its responsibilities, but shall be filled in the same manner as the original appointment and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

(3) FUNCTIONS.—The Advisory Committee shall carry out all of the following functions:

(A) Develop a set of policy recommendations that would enhance the leadership role played by the United States in improving the safety and reliability of Arctic maritime transportation in accordance with customary international maritime law and existing Federal authority. Such policy recommendations shall consider options to establish a United States entity that could perform the following functions in accordance with United States law and customary international maritime law:

(i) Construction, operation, and maintenance of current and future maritime infrastructure necessary for vessels transiting the Arctic Sea Routes, including potential new deep draft and deepwater ports.

(ii) Provision of services that are not widely commercially available in the United States Arctic that would—

(I) improve Arctic maritime safety and environmental protection;

(II) enhance Arctic maritime domain awareness; and

(III) support navigation and incident response for vessels transiting the Arctic Sea Routes.

(iii) Establishment of rules of measurement for vessels and cargo for the purposes of levying voluntary rates of charges or fees for services.

(B) As an option under subparagraph (A), consider establishing a congressionally chartered seaway development corporation modeled on the Saint Lawrence Seaway Development Corporation, and—

(i) develop recommendations for establishing such a corporation and a detailed implementation plan for establishing such an entity; or

(ii) if the Advisory Committee decides against recommending the establishment of such a corporation, provide a written explanation as to the rationale for the decision and develop an alternative, as practicable.

(C) Provide advice and recommendations, as requested, to the Secretary of Transportation and the Secretary of the Department in which the Coast Guard is operating on Arctic marine transportation, including seaway development, and consider national security interests, where applicable, in such recommendations.

(D) In developing the advice and recommendations under subparagraph (C), engage with and solicit feedback from coastal communities, Alaska Native subsistence comanagement groups, and Alaska Native tribes.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Advisory Committee shall submit a report with its recommendations under subparagraphs (A) and (B) of subsection (c)(3) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(e) TERMINATION OF THE ADVISORY COMMITTEE.—Not later than 8 years after the submission of the report described in subsection (d), the Secretary of Transportation shall dissolve the Advisory Committee.

(f) INTERNATIONAL ENGAGEMENT.—If a Special Representative for the Arctic Region is appointed by the Secretary of State, the duties of that Representative shall include—

(1) coordination of any activities recommended by the implementation plan submitted by the Advisory Committee and approved by the Secretary of Transportation; and

(2) facilitation of multilateral dialogues with member and observer nations of the Arctic Council to encourage cooperation on Arctic maritime transportation.

(g) TRIBAL CONSULTATION.—In implementing any of the recommendations provided under subsection (c)(3)(C), the Secretary of Transportation shall consult with Alaska Native tribes.

Subtitle D—Other Matters

SEC. 4401. PLAN FOR WING-IN-GROUND DEMONSTRATION PLAN.

(a) IN GENERAL.—(1) The Commandant, in coordination with the Administrator of the Federal Aviation Administration with regard to any regulatory or safety matter regarding airspace, air space authorization, or aviation, shall develop plans for a demonstration program that will determine whether wing-in-ground craft, as such term is defined in section 2101 of title 46, United States Code, that is capable of carrying at least one individual, can—

(A) provide transportation in areas in which energy exploration, development or production activity takes place on the Outer Continental Shelf; and

(B) under the craft's own power, safely reach helidecks or platforms located on offshore energy facilities.

(2) REQUIREMENTS.—The plans required under paragraph (1) shall—

(A) examine and explain any safety issues with regard to the operation of the such craft as a vessel, or as an aircraft, or both;

(B) include a timeline and technical milestones for the implementation of such a demonstration program;

(C) outline resource requirements needed to undertake such a demonstration program;

(D) describe specific operational circumstances under which the craft may be used, including distance from United States land, altitude, number of individuals, amount of cargo, and speed and weight of vessel;

(E) describe the operations under which Federal Aviation Administration statutes, regulations, circulars, or orders apply; and

(F) describe the certifications, permits, or authorizations required to perform any operations.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant, along with the Administrator of the Federal Aviation Administration with regard to any regulatory or safety matter regarding airspace, air space authorization, or aviation, shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate on the plan developed under subsection (a), including—

(1) any regulatory changes needed regarding inspections and manning, to allow such craft to operate between onshore facilities and offshore energy facilities when such craft is operating as a vessel;

(2) any regulatory changes that would be necessary to address potential impacts to air traffic control, the National Airspace System, and other aircraft operations, and to ensure safe operations on or near helidecks and platforms located on offshore energy facilities when such craft are operating as aircraft; and

(3) any other statutory or regulatory changes related to authority of the Federal Aviation Administration over operations of the craft.

SEC. 4402. NORTHERN MICHIGAN OIL SPILL RESPONSE PLANNING.

Notwithstanding any other provision of law, not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Pipeline and Hazardous Materials Safety Administration, shall update the Northern Michigan Area Contingency Plan to include a worst-case discharge from a pipeline in adverse weather conditions.

SEC. 4403. DOCUMENTATION OF LNG TANKERS.

Section 7(b) of the America's Cup Act of 2011 (Public Law 112–61) is amended—

(1) in paragraph (3)—

(A) by striking ''of the vessel on the date of enactment of this Act''; and

(B) by inserting before the period the following: '', unless prior to any such sale the vessel has been operated in a coastwise trade for not less than 1 year after the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020 and prior to sale of vessel'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (1) the following:

''(2) LIMITATION ON OWNERSHIP.—The Secretary of the department in which the Coast Guard is operating may only issue a certificate of documentation with a coastwise endorsement to a vessel designated in paragraph (1) if the owner of the vessel is an individual or individuals who are citizens of the United States, or is deemed to be such a citizen under section 50501 of title 46, United States Code.

''(3) LIMITATION ON REPAIR AND MODIFICATION.—

''(A) REQUIREMENT.—Any qualified work shall be performed at a shipyard facility located in the United States.

''(B) EXCEPTIONS.—The requirement in subparagraph (A) does not apply to any qualified work—

''(i) for which the owner or operator enters into a binding agreement no later than 1 year after the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020; or

''(ii) necessary for the safe towage of the vessel from outside the United States to a shipyard facility in the United States for completion of the qualified work.

''(C) DEFINITION.—In this paragraph, qualified work means repair and modification necessary for the issuance of a certificate of inspection issued as a result of the waiver for which a coastwise endorsement is issued under paragraph (1).''.

SEC. 4404. REPLACEMENT VESSEL.

Notwithstanding section 208(g)(5) of the American Fisheries Act (Public Law 105–277; 16 U.S.C. 1851 note), a vessel eligible under section 208(e)(21) of such Act that is replaced under section 208(g) of such Act shall be subject to a sideboard restriction catch limit of zero metric tons in the Bering Sea and Aleutian Islands and in the Gulf of Alaska unless that vessel is also a replacement vessel under section 679.4(o)(4) of title 50, Code of Federal Regulations, in which case such vessel shall not be eligible to be a catcher/processor under section 206(b)(2) of such Act.

SEC. 4405. EDUCATIONAL VESSEL.

(a) IN GENERAL.—Notwithstanding section 12112(a)(2) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel *Oliver Hazard Perry* (IMO number 8775560; United States official number 1257224).

(b) TERMINATION OF EFFECTIVENESS OF ENDORSEMENT.—The coastwise endorsement authorized under subsection (a) for the vessel *Oliver Hazard Perry* (IMO number 8775560; United States official number 1257224) shall expire on the first date on which any of the following occurs:

(1) The vessel is sold to a person, including an entity, that is not related by ownership or control to the person, including an entity, that owned the vessel on the date of the enactment of this Act.

(2) The vessel is rebuilt and not rebuilt in the United States (as defined in section 12101(a) of title 46, United States Code).

(3) The vessel is no longer operating in primary service as a sailing school vessel.

SEC. 4406. WATERS DEEMED NOT NAVIGABLE WATERS OF THE UNITED STATES FOR CERTAIN PURPOSES.

The Coalbank Slough in Coos Bay, Oregon, is deemed to not be navigable waters of the United States for all purposes of subchapter J of Chapter I of title 33, Code of Federal Regulations.

SEC. 4407. ANCHORAGES.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall suspend the establishment of new anchorage grounds on the Hudson River between Yonkers, New York, and Kingston, New York, under section 7 of the Rivers and Harbors Appropriations Act of 1915 (33 U.S.C. 471) or chapter 700 of title 46, United States Code.

(b) RESTRICTION.—The Commandant may not establish or expand any anchorage grounds outside of the reach on the Hudson

River described in subsection (a) without first providing notice to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 180 days prior to the establishment or expansion of any such anchorage grounds.

(c) SAVINGS CLAUSE.—Nothing in this section—

(1) prevents the master or pilot of a vessel operating on the reach of the Hudson River described in subsection (a) from taking emergency actions necessary to maintain the safety of the vessel or to prevent the loss of life or property; or

(2) shall be construed as limiting the authority of the Secretary of the department in which the Coast Guard is operating to exercise authority over the movement of a vessel under section 70002 of title 46, United States Code, or any other applicable laws or regulations governing the safe navigation of a vessel.

(d) STUDY.—The Commandant of the Coast Guard, in consultation with the Hudson River Safety, Navigation, and Operations Committee, shall conduct a study of the Hudson River north of Tarrytown, New York to examine—

(1) the nature of vessel traffic including vessel types, sizes, cargoes, and frequency of transits;

(2) the risks and benefits of historic practices for commercial vessels anchoring; and

(3) the risks and benefits of establishing anchorage grounds on the Hudson River.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings, conclusions, and recommendations from the study required under subsection (d).

SEC. 4408. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON VERTICAL EVACUATION FOR TSUNAMIS AT COAST GUARD STATIONS IN WASHINGTON AND OREGON.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that examines the potential use, in the event of a Cascadia subduction zone event, of a vertical evacuation of Coast Guard personnel stationed at United States Coast Guard Station Grays Harbor and Sector Field Office Port Angeles, Washington, and at United States Coast Guard Station Yaquina Bay and United States Coast Guard Motor Lifeboat Station Coos Bay, Oregon, and the dependents of such Coast Guard personnel housed in Coast Guard housing.

(2) ELEMENTS.—The study required under paragraph (1) shall analyze the following:

(A) The number of such personnel and dependents to be evacuated.

(B) The resources available to conduct an evacuation, and the feasibility of a successful evacuation in a case in which inundation maps and timelines are available.

(C) With the resources available, the amount of time needed to evacuate such personnel and dependents.

(D) Any resource that is otherwise available within a reasonable walking distance to the Coast Guard facilities listed in paragraph (1).

(E) The benefit to the surrounding community of such a vertical evacuation.

(F) The interoperability of the tsunami warning system with the Coast Guard communication systems at the Coast Guard facilities listed in paragraph (1).

(G) Current interagency coordination and communication policies in place for emergency responders to address a Cascadia subduction zone event.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations, if any, from the study required under subsection (a).

SEC. 4409. AUTHORITY TO ENTER INTO AGREEMENTS WITH NATIONAL COAST GUARD MUSEUM ASSOCIATION.

(a) IN GENERAL.—Section 316 of title 14, United States Code, is amended to read as follows:

"§ 316. National Coast Guard Museum

''(a) ESTABLISHMENT.—The Commandant may establish, accept, operate, maintain and support the Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut.

''(b) USE OF FUNDS.—

''(1) The Secretary shall not expend any funds appropriated to the Coast Guard on the construction of any museum established under this section.

''(2) Subject to the availability of appropriations, the Secretary may expend funds appropriated to the Coast Guard on the engineering and design of a Museum.

''(3) The priority for the use of funds appropriated to the Coast Guard shall be to preserve, protect, and display historic Coast Guard artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.

''(4) To the maximum extent practicable, the Secretary shall minimize the use of Federal funds for the construction of the Museum.

''(c) FUNDING PLAN.—Not later than 2 years after the date of the enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020 and at least 90 days before the date on which the Commandant accepts the Museum under subsection (f), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such Museum, including—

''(1) estimated planning, engineering, design, construction, operation, and maintenance costs;

''(2) the extent to which appropriated, nonappropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction;

''(3) an explanation of any environmental remediation issues related to the land associated with the Museum; and

''(4) a certification by the Inspector General of the department in which the Coast Guard is operating that the estimates provided pursuant to paragraphs (1) and (2) are reasonable and realistic.

''(d) CONSTRUCTION.—

''(1) The Association may construct the Museum described in subsection (a).

''(2) The Museum shall be designed and constructed in compliance with the International Building Code 2018, and construction performed on Federal land under this section shall be exempt from State and local requirements for building or demolition permits.

''(e) AGREEMENTS.—Under such terms and conditions as the Commandant considers appropriate, notwithstanding section 504, and until the Commandant accepts the Museum under subsection (f), the Commandant may—

''(1) license Federal land to the Association for the purpose of constructing the Museum described in subsection (a); and

''(2)(A) at a nominal charge, lease the Museum from the Association for activities and operations related to the Museum; and

''(B) authorize the Association to generate revenue from the use of the Museum.

''(f) ACCEPTANCE.—Not earlier than 90 days after the Commandant submits the plan under subsection (c), the Commandant shall accept the Museum from the Association and all right, title, and interest in and to the Museum shall vest in the United States when—

''(1) the Association demonstrates, in a manner acceptable to the Commandant, that the Museum meets the design and construction requirements of subsection (d); and

''(2) all financial obligations of the Association incident to the National Coast Guard Museum have been satisfied.

''(g) GIFTS.—

''(1) The Commandant may solicit from the Association and accept funds and in-kind gifts from nonprofit entities, including services related to activities for the construction of the Museum.

''(2) Funds and in-kind gifts described in paragraph (1) shall be—

''(A) accepted and administered consistent with section 2601 of title 10; and

''(B) deposited in the Coast Guard General Gift Fund.

''(3) The use of any funds and in-kind gifts described in paragraph (1) shall be subject to the availability of appropriations.

''(h) AUTHORITY.—The Commandant may not establish a Museum except as set forth in this section.

''(i) DEFINITIONS.—In this section:

''(1) MUSEUM.—The term 'Museum' means the National Coast Guard Museum.

''(2) ASSOCIATION.—The term 'Association' means the National Coast Guard Museum Association.''.

(b) BRIEFINGS.—Not later than March 1 of the fiscal year after the fiscal year in which the report required under subsection (d) of section 316 of title 14, United States Code, is provided, and not later than March 1 of each year thereafter until 1 year after the year in which the National Coast Guard Museum is accepted pursuant to subsection (f) of such section, the Commandant shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the following issues with respect to the Museum:

(1) The acceptance of gifts.

(2) Engineering.

(3) Design and project status.

(4) Land ownership.

(5) Environmental remediation.

(6) Operation and support issues.

(7) Plans.

SEC. 4410. FORMAL SEXUAL ASSAULT POLICIES FOR PASSENGER VESSELS.

(d) MAINTENANCE AND PLACEMENT OF VIDEO SURVEILLANCE EQUIPMENT.—Section 3507(b)(1) of title 46, United States Code, is amended—

(1) by striking ''The owner'' and inserting the following:

''(A) IN GENERAL.—The owner'';

(2) by striking '', as determined by the Secretary''; and

(3) by adding at the end, the following:

''(B) PLACEMENT OF VIDEO SURVEILLANCE EQUIPMENT.—

''(i) IN GENERAL.—Not later than 18 months after the date of the enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, the Commandant in consultation with other relevant Federal agencies or entities as determined by the Commandant, shall

establish guidance for performance of the risk assessment described in paragraph (2) regarding the appropriate placement of video surveillance equipment in passenger and crew common areas where there is no reasonable expectation of privacy.

''(ii) RISK ASSESSMENT.—Not later than 1 year after the Commandant establishes the guidance described in paragraph (1), the owner shall conduct the risk assessment required under paragraph (1) and shall—

''(I) evaluate the placement of video surveillance equipment to deter, prevent, and record a sexual assault aboard the vessel considering factors such as: ship layout and design, itinerary, crew complement, number of passengers, passenger demographics, and historical data on the type and location of prior sexual assault incident allegations;

''(II) incorporate to the maximum extent practicable the video surveillance guidance established by the Commandant regarding the appropriate placement of video surveillance equipment;

''(III) arrange for the risk assessment to be conducted by an independent third party with expertise in the use and placement of camera surveillance to deter, prevent and record criminal behavior; and

''(IV) the independent third party referred to in paragraph (C) shall be a company that has been accepted by a classification society that is a member of the International Association of Classification Societies (hereinafter referred to as 'IACS') or another classification society recognized by the Secretary as meeting acceptable standards for such a society pursuant to section 3316(b).

''(C) SURVEILLANCE PLAN.—Not later than 180 days after completion of the risk assessment conducted under subparagraph (B)(ii), the owner of a vessel shall develop a plan to install video surveillance equipment in places determined to be appropriate in accordance with the results of the risk assessment conducted under subparagraph (B)(ii), except in areas where a person has a reasonable expectation of privacy. Such plan shall be evaluated and approved by an independent third party with expertise in the use and placement of camera surveillance to deter, prevent and record criminal behavior that has been accepted as set forth in paragraph (2)(D).

''(D) INSTALLATION.—The owner of a vessel to which this section applies shall, consistent with the surveillance plan approved under subparagraph (C), install appropriate video surveillance equipment aboard the vessel not later than 2 years after approval of the plan, or during the next scheduled drydock, whichever is later.

''(E) ATTESTATION.—At the time of initial installation under subparagraph (D), the vessel owner shall obtain written attestations from—

''(i) an IACS classification society that the video surveillance equipment is installed in accordance with the surveillance plan required under subparagraph (C); and

''(ii) the company security officer that the surveillance equipment and associated systems are operational, which attestation shall be obtained each year thereafter.

''(F) UPDATES.—The vessel owner shall ensure the risk assessment described in subparagraph (B)(ii) and installation plan in subparagraph (C) are updated not later than 5 years after the initial installation conducted under subparagraph (D), and every 5 years thereafter. The updated assessment and plan shall be approved by an independent third party with expertise in the use and placement of camera surveillance to deter, prevent, and record criminal behavior that has been accepted by an IACS classification society. The vessel owner shall implement the updated installation plan not later than 180 days after approval.

''(G) AVAILABILITY.—Each risk assessment, installation plan and attestation shall be protected from disclosure under the Freedom of Information Act, section 552 of title 5 but shall be available to the Coast Guard—

''(i) upon request, and

''(ii) at the time of the certificate of compliance or certificate of inspection examination.

''(H) DEFINITIONS.—For purposes of this section a 'ship security officer' is an individual that, with the master's approval, has full responsibility for vessel security consistent with the International Ship and Port Facility Security Code.''.

(e) ACCESS TO VIDEO RECORDS; NOTICE OF VIDEO SURVEILLANCE.—Section 3507(b), of title 46, United States Code, is further amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following:

''(2) NOTICE OF VIDEO SURVEILLANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the public of the presence of video surveillance equipment.'';

(3) in paragraph (3), as so redesignated—

(A) by striking ''The owner'' and inserting the following:

''(A) LAW ENFORCEMENT.—The owner''; and

(B) by adding at the end the following:

''(B) CIVIL ACTIONS.—Except as proscribed by law enforcement authorities or court order, the owner of a vessel to which this section applies shall, upon written request, provide to any individual or the individual's legal representative a copy of all records of video surveillance—

''(i) in which the individual is a subject of the video surveillance; and

''(ii) that may provide evidence of any sexual assault incident in a civil action.

''(C) LIMITED ACCESS.—The owner of a vessel to which this section applies shall ensure that access to records of video surveillance is limited to the purposes described in this paragraph.''.

(f) RETENTION REQUIREMENTS.—

(1) IN GENERAL.—Section 3507(b), of title 46, United States Code, is further amended by adding at the end the following:

''(4) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of video surveillance for not less than 20 days after the footage is obtained. The vessel owner shall include a statement in the security guide required by subsection (c)(1)(A) that the vessel owner is required by law to retain video surveillance footage for the period specified in this paragraph. If an incident described in subsection (g)(3)(A)(i) is alleged and reported to law enforcement, all records of video surveillance from the voyage that the Federal Bureau of Investigation determines are relevant shall—

''(A) be provided to the Federal Bureau of Investigation; and

''(B) be preserved by the vessel owner for not less than 4 years from the date of the alleged incident.''.

(2) ADMINISTRATIVE PROVISIONS.—

(A) STUDY AND REPORT.—Each owner of a vessel to which section 3507, of title 46, United States Code, applies shall, not later than March 1, 2023, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the total number of voyages for the preceding year and the percentage of those voyages that were 30 days or longer.

(B) INTERIM STANDARDS.—Not later than 180 days after the date of enactment of this Act, the Commandant, in consultation with the Federal Bureau of Investigation, shall promulgate interim standards for the retention of records of video surveillance.

(C) FINAL STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Commandant, in consultation with the Federal Bureau of Investigation, shall promulgate final standards for the retention of records of video surveillance.

(D) CONSIDERATIONS.—In promulgating standards under subparagraphs (B) and (B), the Commandant shall—

(i) consider factors that would aid in the investigation of serious crimes, including the results of the report by the Commandant provided under subparagraph (A), as well as crimes that go unreported until after the completion of a voyage;

(ii) consider the different types of video surveillance systems and storage requirements in creating standards both for vessels currently in operation and for vessels newly built;

(iii) consider privacy, including standards for permissible access to and monitoring and use of the records of video surveillance; and

(iv) consider technological advancements, including requirements to update technology.

SEC. 4411. REGULATIONS FOR COVERED SMALL PASSENGER VESSELS.

Section 3306 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', including covered small passenger vessels (as defined in subsection (n)(5))'' after ''vessels subject to inspection''; and

(B) in paragraph (5), by inserting before the period at the end '', including rechargeable devices utilized for personal or commercial electronic equipment''; and

(2) by adding at the end the following:

''(n) COVERED SMALL PASSENGER VESSELS.—

''(1) REGULATIONS.—The Secretary shall prescribe additional regulations to secure the safety of individuals and property on board covered small passenger vessels.

''(2) COMPREHENSIVE REVIEW.—In order to prescribe the regulations under paragraph (1), the Secretary shall conduct a comprehensive review of all requirements (including calculations), in existence on the date of enactment of the Elijah E. Cummings Coast Guard Authorization Act of 2020, that apply to covered small passenger vessels, with respect to fire detection, protection, and suppression systems, and avenues of egress, on board such vessels.

''(3) REQUIREMENTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the regulations prescribed under paragraph (1) shall include, with respect to covered small passenger vessels, regulations for—

''(i) marine firefighting training programs to improve crewmember training and proficiency, including emergency egress training for each member of the crew, to occur for all members on the crew—

''(I) at least monthly while such members are employed on board the vessel; and

''(II) each time a new crewmember joins the crew of such vessel;

''(ii) in all areas on board the vessel where passengers and crew have access, including dining areas, sleeping quarters, and lounges—

''(I) interconnected fire detection equipment, including audible and visual alarms; and

''(II) additional fire extinguishers and other firefighting equipment;

''(iii) the installation and use of monitoring devices to ensure the wakefulness of the required night watch;

''(iv) increased fire detection and suppression systems (including additional fire extinguishers) on board such vessels in unmanned areas with machinery or areas with other potential heat sources;

''(v) all general areas accessible to passengers to have no less than 2 independent avenues of escape that are—

''(I) constructed and arranged to allow for free and unobstructed egress from such areas;

''(II) located so that if one avenue of escape is not available, another avenue of escape is available; and

''(III) not located directly above, or dependent on, a berth;

''(vi) the handling, storage, and operation of flammable items, such as rechargeable batteries, including lithium ion batteries utilized for commercial purposes on board such vessels;

''(vii) passenger emergency egress drills for all areas on the vessel to which passengers have access, which shall occur prior to the vessel beginning each excursion; and

''(viii) all passengers to be provided a copy of the emergency egress plan for the vessel.

''(B) APPLICABILITY TO CERTAIN COVERED SMALL PASSENGER VESSELS.—The requirements described in clauses (iii), (v), (vii), and (viii) of subparagraph (A) shall only apply to a covered small passenger vessel that has overnight passenger accommodations.

''(4) INTERIM REQUIREMENTS.—

''(A) INTERIM REQUIREMENTS.—The Secretary shall, prior to issuing final regulations under paragraph (1), implement interim requirements to enforce the requirements under paragraph (3).

''(B) IMPLEMENTATION.—The Secretary shall implement the interim requirements under subparagraph (A) without regard to chapters 5 and 6 of title 5 and Executive Orders 12866 and 13563 (5 U.S.C. 601 note; relating to regulatory planning and review and relating to improving regulation and regulatory review).

''(5) DEFINITION OF COVERED SMALL PASSENGER VESSEL.—In this subsection, the term 'covered small passenger vessel'—

''(A) except as provided in subparagraph (B), means a small passenger vessel (as defined in section 2101) that—

''(i) has overnight passenger accommodations; or

''(ii) is operating on a coastwise or oceans route; and

''(B) does not include a ferry (as defined in section 2101) or fishing vessel (as defined in section 2101).''.

TITLE V—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 5001. TRANSFERS.

(a) IN GENERAL.—

(1) Section 215 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 14 U.S.C. 504 note) is redesignated as section 322 of title 14, United States Code, transferred to appear after section 321 of such title (as added by this division), and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(2) Section 406 of the Maritime Transportation Security Act of 2002 (Public Law 107–295; 14 U.S.C. 501 note) is redesignated as section 720 of title 14, United States Code, transferred to appear after section 719 of such title (as added by this division), and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(3) Section 1110 of title 14, United States Code, is redesignated as section 5110 of such title and transferred to appear after section 5109 of such title (as added by this division).

(4) Section 401 of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is amended by striking subsection (e).

(5) Subchapter I of chapter 11 of title 14, United States Code, as amended by this division, is amended by inserting after section 1109 the following:

''§ 1110. Elevation of disputes to the Chief Acquisition Officer

''If, after 90 days following the elevation to the Chief Acquisition Officer of any design or other dispute regarding level 1 or level 2 acquisition, the dispute remains unresolved, the Commandant shall provide to the appropriate congressional committees a detailed description of the issue and the rationale underlying the decision taken by the Chief Acquisition Officer to resolve the issue.''.

(6) Section 7 of the Rivers and Harbors Appropriations Act of 1915 (33 U.S.C. 471) is amended—

(A) by transferring such section to appear after section 70005 of title 46, United States Code;

(B) by striking ''SEC. 7.'' and inserting **''§70006. Establishment by Secretary of the department in which the Coast Guard is operating of anchorage grounds and regulations generally**''; and

(C) by adjusting the margins with respect to subsections (a) and (b) for the presence of a section heading accordingly.

(7) Section 217 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 14 U.S.C. 504 note)—

(A) is redesignated as section 5112 of title 14, United States Code, transferred to appear after section 5111 of such title (as added by this division), and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code; and

(B) is amended—

(i) by striking the heading and inserting the following:

''§ 5112. Sexual assault and sexual harassment in the Coast Guard''; and

(ii) in subsection (b), by adding at the end the following:

''(5)(A) The number of instances in which a covered individual was accused of misconduct or crimes considered collateral to the investigation of a sexual assault committed against the individual.

''(B) The number of instances in which adverse action was taken against a covered individual who was accused of collateral misconduct or crimes as described in subparagraph (A).

''(C) The percentage of investigations of sexual assaults that involved an accusation or adverse action against a covered individual as described in subparagraphs (A) and (B).

''(D) In this paragraph, the term 'covered individual' means an individual who is identified as a victim of a sexual assault in the case files of a military criminal investigative organization.''.

(b) CLERICAL AMENDMENTS.—

(1) The analysis for chapter 3 of title 14, United States Code, as amended by this division, is further amended by adding at the end the following:

''322. Redistricting notification requirement.''.

(2) The analysis for chapter 7 of title 14, United States Code, as amended by this division, is further amended by adding at the end the following:

''720. VHF communication services.''.

(3) The analysis for chapter 11 of title 14, United States Code, is amended by striking the item relating to section 1110 and inserting the following:

''1110. Elevation of disputes to the Chief Acquisition Officer.''.

(4) The analysis for chapter 51 of title 14, United States Code, as amended by this division, is further amended by adding at the end the following:

''5110. Mission need statement.

''5111. Report on diversity at Coast Guard Academy.

''5112. Sexual assault and sexual harassment in the Coast Guard.''.

(5) The analysis for chapter 700 of title 46, United States Code, is further amended by inserting after the item relating to section 70005 the following:

''70006. Establishment by the Secretary of the department in which the Coast Guard is operating of anchorage grounds and regulations generally.''.

SEC. 5002. ADDITIONAL TRANSFERS.

(a) SECTION 204 OF THE MARINE TRANSPORTATION SECURITY ACT.—

(1) The Maritime Transportation Security Act of 2002 is amended by striking section 204 (33 U.S.C. 1902a).

(2) Section 3 of the Act to Prevent Pollution from Ships (33 U.S.C. 1902)—

(A) is amended by redesignating subsections (e) through (i) as subsections (f) through (j) respectively; and

(B) by inserting after subsection (d) the following:

''(e) DISCHARGE OF AGRICULTURAL CARGO RESIDUE.—Notwithstanding any other provision of law, the discharge from a vessel of any agricultural cargo residue material in the form of hold washings shall be governed exclusively by the provisions of this Act that implement Annex V to the International Convention for the Prevention of Pollution from Ships.''.

(b) LNG TANKERS.—

(1) The Coast Guard and Maritime Transportation Act of 2006 is amended by striking section 304 (Public Law 109–241; 120 Stat. 527).

(2) Section 5 of the Deepwater Port Act of 1974 (33 U.S.C. 1504) is amended by adding at the end the following:

''(j) LNG TANKERS.—

''(1) PROGRAM.—The Secretary of Transportation shall develop and implement a program to promote the transportation of liquefied natural gas to and from the United States on United States flag vessels.

''(2) INFORMATION TO BE PROVIDED.—When the Coast Guard is operating as a contributing agency in the Federal Energy Regulatory Commission's shoreside licensing process for a liquefied natural gas or liquefied petroleum gas terminal located on shore or within State seaward boundaries, the Coast Guard shall provide to the Commission the information described in section 5(c)(2)(K) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(c)(2)(K)) with respect to vessels reasonably anticipated to be servicing that port.''.

SEC. 5003. LICENSE EXEMPTIONS; REPEAL OF OBSOLETE PROVISIONS.

(a) SERVICE UNDER LICENSES ISSUED WITHOUT EXAMINATION.—

(1) REPEAL.—Section 8303 of title 46, United States Code, and the item relating to that section in the analysis for chapter 83 of that title, are repealed.

(2) CONFORMING AMENDMENT.—Section 14305(a)(10) of title 46, United States Code, is amended by striking ''sections 8303 and 8304'' and inserting ''section 8304''.

(b) STANDARDS FOR TANK VESSELS OF THE UNITED STATES.—Section 9102 of title 46, United States Code, is amended—

(1) by striking ''(a)'' before the first sentence; and

(2) by striking subsection (b).

SEC. 5004. MARITIME TRANSPORTATION SYSTEM.

(a) MARITIME TRANSPORTATION SYSTEM.—Section 312(b)(4) of title 14, United States Code, is amended by striking ''marine transportation system'' and inserting ''maritime transportation system''.

(b) CLARIFICATION OF REFERENCE TO MARINE TRANSPORTATION SYSTEM PROGRAMS.—Section 50307(a) of title 46, United States Code, is amended by striking ''marine transportation'' and inserting ''maritime transportation''.

SEC. 5005. REFERENCES TO ''PERSONS'' AND ''SEAMEN''.

(a) TECHNICAL CORRECTION OF REFERENCES TO ''PERSONS''.—Title 14, United States Code, is amended as follows:

(1) In section 312(d), by striking ''persons'' and inserting ''individuals''.

(2) In section 313(d)(2)(B), by striking ''person'' and inserting ''individual''.

(3) In section 504—

(A) in subsection (a)(19)(B), by striking ''a person'' and inserting ''an individual''; and

(B) in subsection (c)(4), by striking ''seamen;'' and inserting ''mariners;''.

(4) In section 521, by striking ''persons'' each place it appears and inserting ''individuals''.

(5) In section 522—

(A) by striking ''a person'' and inserting ''an individual''; and

(B) by striking ''person'' the second and third place it appears and inserting ''individual''.

(6) In section 525(a)(1)(C)(ii), by striking ''person'' and inserting ''individual''.

(7) In section 526—

(A) by striking ''person'' each place it appears and inserting ''individual'';

(B) by striking ''persons'' each place it appears and inserting ''individuals''; and

(C) in subsection (b), by striking ''person's'' and inserting ''individual's''.

(8) In section 709—

(A) by striking ''persons'' and inserting ''individuals''; and

(B) by striking ''person'' and inserting ''individual''.

(9) In section 933(b), by striking ''Every person'' and inserting ''An individual''.

(10) In section 1102(d), by striking ''persons'' and inserting ''individuals''.

(11) In section 1902(b)(3)—

(A) in subparagraph (A), by striking ''person or persons'' and inserting ''individual or individuals''; and

(B) in subparagraph (B), by striking ''person'' and inserting ''individual''.

(12) In section 1941(b), by striking ''persons'' and inserting ''individuals''.

(13) In section 2101(b), by striking ''person'' and inserting ''individual''.

(14) In section 2102(c), by striking ''A person'' and inserting ''An individual''.

(15) In section 2104(b)—

(A) by striking ''persons'' and inserting ''individuals''; and

(B) by striking ''A person'' and inserting ''An individual''.

(16) In section 2118(d), by striking ''person'' and inserting ''individual who is''.

(17) In section 2147(d), by striking ''a person'' and inserting ''an individual''.

(18) In section 2150(f), by striking ''person'' and inserting ''individual who is''.

(19) In section 2161(b), by striking ''person'' and inserting ''individual''.

(20) In section 2317—

(A) by striking ''persons'' and inserting ''individuals'';

(B) by striking ''person'' each place it appears and inserting ''individual''; and

(C) in subsection (c)(2), by striking ''person's'' and inserting ''individual's''.

(21) In section 2531—

(A) by striking ''person'' each place it appears and inserting ''individual''; and

(B) by striking ''persons'' each place it appears and inserting ''individuals''.

(22) In section 2709, by striking ''persons'' and inserting ''individuals''.

(23) In section 2710—

(A) by striking ''persons'' and inserting ''individuals''; and

(B) by striking ''person'' each place it appears and inserting ''individual''.

(24) In section 2711(b), by striking ''person'' and inserting ''individual''.

(25) In section 2732, by striking ''a person'' and inserting ''an individual''.

(26) In section 2733—

(A) by striking ''A person'' and inserting ''An individual''; and

(B) by striking ''that person'' and inserting ''that individual''.

(27) In section 2734, by striking ''person'' each place it appears and inserting ''individual''.

(28) In section 2735, by striking ''a person'' and inserting ''an individual''.

(29) In section 2736, by striking ''person'' and inserting ''individual''.

(30) In section 2737, by striking ''a person'' and inserting ''an individual''.

(31) In section 2738, by striking ''person'' and inserting ''individual''.

(32) In section 2739, by striking ''person'' and inserting ''individual''.

(33) In section 2740—

(A) by striking ''person'' and inserting ''individual''; and

(B) by striking ''one'' the second place it appears.

(34) In section 2741—

(A) in subsection (a), by striking ''a person'' and inserting ''an individual'';

(B) in subsection (b)(1), by striking ''person's'' and inserting ''individual's''; and

(C) in subsection (b)(2), by striking ''person'' and inserting ''individual''.

(35) In section 2743, by striking ''person'' each place it appears and inserting ''individual''.

(36) In section 2744—

(A) in subsection (b), by striking ''a person'' and inserting ''an individual''; and

(B) in subsections (a) and (c), by striking ''person'' each place it appears and inserting ''individual''.

(37) In section 2745, by striking ''person'' and inserting ''individual''.

(38)(A) In section 2761—

(i) in the section heading, by striking ''**Persons**'' and inserting ''**Individuals**'';

(ii) by striking ''persons'' and inserting ''individuals''; and

(iii) by striking ''person'' and inserting ''individual''.

(B) In the analysis for chapter 27, by striking the item relating to section 2761 and inserting the following:

''2761. Individuals discharged as result of court-martial; allowances to.''.

(39)(A) In the heading for section 2767, by striking ''**persons**'' and inserting ''**individuals**''.

(B) In the analysis for chapter 27, by striking the item relating to section 2767 and inserting the following:

''2767. Reimbursement for medical-related travel expenses for certain individuals residing on islands in the continental United States.''.

(40) In section 2769—

(A) by striking ''a person's'' and inserting ''an individual's''; and

(B) in paragraph (1), by striking ''person'' and inserting ''individual''.

(41) In section 2772(a)(2), by striking ''person'' and inserting ''individual''.

(42) In section 2773—

(A) in subsection (b), by striking ''persons'' each place it appears and inserting ''individuals''; and

(B) in subsection (d), by striking ''a person'' and inserting ''an individual''.

(43) In section 2775, by striking ''person'' each place it appears and inserting ''individual''.

(44) In section 2776, by striking ''person'' and inserting ''individual''.

(45)(A) In section 2777—

(i) in the heading, by striking ''**persons**'' and inserting ''**individuals**''; and

(ii) by striking ''persons'' each place it appears and inserting ''individuals''.

(B) In the analysis for chapter 27, by striking the item relating to section 2777 and inserting the following:

''2777. Clothing for destitute shipwrecked individuals.''.

(46) In section 2779, by striking ''persons'' each place it appears and inserting ''individuals''.

(47) In section 2902(c), by striking ''person'' and inserting ''individual''.

(48) In section 2903(b), by striking ''person'' and inserting ''individual''.

(49) In section 2904(b)(1)(B), by striking ''a person'' and inserting ''an individual''.

(50) In section 3706—

(A) by striking ''a person'' and inserting ''an individual''; and

(B) by striking ''person's'' and inserting ''individual's''.

(51) In section 3707—

(A) in subsection (c)—

(i) by striking ''person'' and inserting ''individual''; and

(ii) by striking ''person's'' and inserting ''individual's''; and

(B) in subsection (e), by striking ''a person'' and inserting ''an individual''.

(52) In section 3708, by striking ''person'' each place it appears and inserting ''individual''.

(53) In section 3738—

(A) by striking ''a person'' each place it appears and inserting ''an individual'';

(B) by striking ''person's'' and inserting ''individual's''; and

(C) by striking ''A person'' and inserting ''An individual''.

(b) CORRECTION OF REFERENCES TO PERSONS AND SEAMEN.—

(1) Section 2303a(a) of title 46, United States Code, is amended by striking ''persons'' and inserting ''individuals''.

(2) Section 2306(a)(3) of title 46, United States Code, is amended to read as follows:

''(3) An owner, charterer, managing operator, or agent of a vessel of the United States notifying the Coast Guard under paragraph (1) or (2) shall—

''(A) provide the name and identification number of the vessel, the names of individuals on board, and other information that may be requested by the Coast Guard; and

''(B) submit written confirmation to the Coast Guard within 24 hours after nonwritten notification to the Coast Guard under such paragraphs.''.

(3) Section 7303 of title 46, United States Code, is amended by striking ''seaman'' each place it appears and inserting ''individual''.

(4) Section 7319 of title 46, United States Code, is amended by striking ''seaman'' each place it appears and inserting ''individual''.

(5) Section 7501(b) of title 46, United States Code, is amended by striking ''seaman'' and inserting ''holder''.

(6) Section 7508(b) of title 46, United States Code, is amended by striking ''individual seamen or a specifically identified group of seamen'' and inserting ''an individual or a specifically identified group of individuals''.

(7) Section 7510 of title 46, United States Code, is amended—

(A) in subsection (c)(8)(B), by striking ''merchant seamen'' and inserting ''merchant mariner''; and

(B) in subsection (d), by striking ''merchant seaman'' and inserting ''merchant mariner''.

(8) Section 8103(k)(3)(C) of title 46, United States Code, is amended by striking ''merchant mariners'' each place it appears and inserting ''merchant mariner's''.

(9) Section 8104 of title 46, United States Code, is amended—

(A) in subsection (c), by striking ''a licensed individual or seaman'' and inserting ''an individual'';

(B) in subsection (d), by striking ''A licensed individual or seaman'' and inserting ''An individual'';

(C) in subsection (e), by striking ''a seaman'' each place it appears and inserting ''an individual''; and

(D) in subsection (j), by striking ''seaman'' and inserting ''individual''.

(10) Section 8302(d) of title 46, United States Code, is amended by striking ''3 persons'' and inserting ''3 individuals''.

(11) Section 11201 of title 46, United States Code, is amended by striking ''a person'' each place it appears and inserting ''an individual''.

(12) Section 11202 of title 46, United States Code, is amended—

(A) by striking ''a person'' and inserting ''an individual''; and

(B) by striking ''the person'' each place it appears and inserting ''the individual''.

(13) Section 11203 of title 46, United States Code, is amended—

(A) by striking ''a person'' each place it appears and inserting ''an individual''; and

(B) in subsection (a)(2), by striking ''that person'' and inserting ''that individual''.

(14) Section 15109(i)(2) of title 46, United States Code, is amended by striking ''additional persons'' and inserting ''additional individuals''.

SEC. 5006. REFERENCES TO ''HIMSELF'' AND ''HIS''.

(a) Section 1927 of title 14, United States Code, is amended by—

(1) striking ''of his initial'' and inserting ''of an initial''; and

(2) striking ''from his pay'' and inserting ''from the pay of such cadet''.

(b) Section 2108(b) of title 14, United States Code, is amended by striking ''himself'' and inserting ''such officer''.

(c) Section 2732 of title 14, United States Code, as amended by this division, is further amended—

(1) by striking ''distinguishes himself conspicuously by'' and inserting ''displays conspicuous''; and

(2) by striking ''his'' and inserting ''such individual's''.

(d) Section 2736 of title 14, United States Code, as amended by this division, is further amended by striking ''distinguishes himself by'' and inserting ''performs''.

(e) Section 2738 of title 14, United States Code, as amended by this division, is further amended by striking ''distinguishes himself by'' and inserting ''displays''.

(f) Section 2739 of title 14, United States Code, as amended by this division, is further amended by striking ''distinguishes himself by'' and inserting ''displays''.

(g) Section 2742 of title 14, United States Code, is amended by striking ''he distinguished himself'' and inserting ''of the acts resulting in the consideration of such award''.

(h) Section 2743 of title 14, United States Code, as amended by this division, is further amended—

(1) by striking ''distinguishes himself''; and

(2) by striking ''he'' and inserting ''such individual''.

SEC. 5007. MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) MISCELLANEOUS TECHNICAL CORRECTIONS.—

(1) Section 3305(d)(3)(B) of title 46, United States Code, is amended by striking ''Coast Guard Authorization Act of 2017'' and inserting ''Frank LoBiondo Coast Guard Authorization Act of 2018''.

(2) Section 4312 of title 46, United States Code, is amended by striking ''Coast Guard Authorization Act of 2017'' each place it appears and inserting ''Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282)''.

(3) The analysis for chapter 700 of title 46, United States Code, is amended—

(A) by striking the item relating to the heading for the first subchapter and inserting the following:

''SUBCHAPTER I—VESSEL OPERATIONS'';

(B) by striking the item relating to the heading for the second subchapter and inserting the following:

''SUBCHAPTER II—PORTS AND WATERWAYS SAFETY'';

(C) by striking the item relating to the heading for the third subchapter and the item relating to section 70021 of such chapter and inserting the following:

''SUBCHAPTER III—CONDITIONS FOR ENTRY INTO PORTS IN THE UNITED STATES

''70021. Conditions for entry into ports in the United States.'';

(D) by striking the item relating to the heading for the fourth subchapter and inserting the following:

''SUBCHAPTER IV—DEFINITIONS REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY'';

(E) by striking the item relating to the heading for the fifth subchapter and inserting the following:

''SUBCHAPTER V—REGATTAS AND MARINE PARADES'';

and

(F) by striking the item relating to the heading for the sixth subchapter and inserting the following:

''SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES''.

(4) Section 70031 of title 46, United States Code, is amended by striking ''A through C'' and inserting ''I through III''.

(5) Section 70032 of title 46, United States Code, is amended by striking ''A through C'' and inserting ''I through III''.

(6) Section 70033 of title 46, United States Code, is amended by striking ''A through C'' and inserting ''I through III''.

(7) Section 70034 of title 46, United States Code, is amended by striking ''A through C'' each place it appears and inserting ''I through III''.

(8) Section 70035(a) of title 46, United States Code, is amended by striking ''A through C'' and inserting ''I through III''.

(9) Section 70036 of title 46, United States Code, is amended by—

(A) striking ''A through C'' each place it appears and inserting ''I through III''; and

(B) striking ''A, B, or C'' each place it appears and inserting ''I, II, or III''.

(10) Section 70051 of title 46, United States Code, is amended—

(A) by striking ''immediate Federal response,'' and all that follows through ''subject to the approval'' and inserting ''immediate Federal response, the Secretary of the department in which the Coast Guard is operating may make, subject to the approval''; and

(B) by striking ''authority to issue such rules'' and all that follows through ''Any appropriation'' and inserting ''authority to issue such rules and regulations to the Secretary of the department in which the Coast Guard is operating. Any appropriation''.

(11) Section 70052(e) of title 46, United States Code, is amended by striking ''Secretary'' and inserting ''Secretary of the department in which the Coast Guard is operating'' each place it appears.

(b) ALTERATION OF BRIDGES; TECHNICAL CHANGES.—The Act of June 21, 1940 (33 U.S.C. 511 et seq.), popularly known as the Truman-Hobbs Act, is amended by striking section 12 (33 U.S.C. 522).

(c) REPORT OF DETERMINATION; TECHNICAL CORRECTION.—Section 105(f)(2) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562) is amended by striking ''subsection (a),'' and inserting ''paragraph (1),''.

(d) TECHNICAL CORRECTIONS TO FRANK LOBIONDO COAST GUARD AUTHORIZATION ACT OF 2018.—

(1) Section 408 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) and the item relating to such section in section 2 of such Act are repealed, and the provisions of law redesignated, transferred, or otherwise amended by section 408 are amended to read as if such section were not enacted.

(2) Section 514(b) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by striking ''Chapter 30'' and inserting ''Chapter 3''.

(3) Section 810(d) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by striking ''within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice,'' and inserting ''in accordance within subsection (a)(2), the Secretary shall''.

(4) Section 820(a) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by striking ''years 2018 and'' and inserting ''year''.

(5) Section 820(b)(2) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by inserting ''and the Consolidated Appropriations Act, 2018 (Public Law 115–141)'' after ''(Public Law 115–31)''.

(6) Section 821(a)(2) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by striking ''Coast Guard Authorization Act of 2017'' and inserting ''Frank LoBiondo Coast Guard Authorization Act of 2018''.

(7) This section shall take effect on the date of the enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) and apply as if included therein.

(e) TECHNICAL CORRECTION.—Section 533(d)(2)(A) of the Coast Guard Authorization Act of 2016 (Public Law 114–120) is amended by striking ''Tract 6'' and inserting ''such Tract''.

(f) DISTANT WATER TUNA FLEET; TECHNICAL CORRECTIONS.—Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241) is amended—

(1) in subsection (a)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) IN GENERAL.—Notwithstanding''; and

(B) by adding at the end the following:

''(2) DEFINITION.—In this subsection, the term 'treaty area' has the meaning given the term in the Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America as in effect on the date of the enactment of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241).''; and

(2) in subsection (c)—

(A) by striking ''12.6 or 12.7'' and inserting ''13.6''; and

(B) by striking ''and Maritime Transportation Act of 2012'' and inserting ''Authorization Act of 2020''.

SEC. 5008. TECHNICAL CORRECTIONS RELATING TO CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.

Effective upon the enactment of section 401 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282), and notwithstanding section 402(e) of such Act—

(1) section 16 of the Ports and Waterways Safety Act, as added by section 315 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 947)—

(A) is redesignated as section 70022 of title 46, United States Code, transferred to appear after section 70021 of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 46, United States Code; and

(B) as so redesignated and transferred, is amended—

(i) in subsections (b) and (e), by striking ''section 4(a)(5)'' each place it appears and inserting ''section 70001(a)(5)'';

(ii) in subsection (c)(2), by striking ''not later than'' and all that follows through ''thereafter,'' and inserting ''periodically''; and

(iii) by striking subsection (h); and

(2) chapter 700 of title 46, United States Code, is amended—

(A) in section 70002(2), by inserting ''or 70022'' after ''section 70021'';

(B) in section 70036(e), by inserting ''or 70022'' after ''section 70021''; and

(C) in the analysis for such chapter—

(i) by inserting ''Sec.'' above the section items, in accordance with the style and form of such an entry in other chapter analyses of such title; and

(ii) by adding at the end the following:

''70022. Prohibition on entry and operation.''.

SEC. 5009. AIDS TO NAVIGATION.

(a) Section 541 of title 14, United States Code, is amended—

(1) by striking ''In'' and inserting ''(a) In''; and

(2) by adding at the end the following:

''(b) In the case of pierhead beacons, the Commandant may—

''(1) acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for pierhead beacons; and

''(2) properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.''.

(b) Subchapter III of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

''§ 548. Prohibition against officers and employees being interested in contracts for materials

''No officer, enlisted member, or civilian member of the Coast Guard in any manner connected with the construction, operation, or maintenance of lighthouses, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

''§ 549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction

''(a) No lighthouse, beacon, public pier, or landmark, shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States.

''(b) For the purposes of subsection (a), a cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work referred to in subsection (a), shall be deemed sufficient if the cession contains a reservation that process issued under authority of such State may continue to be served within such place.

''(c) If no reservation of service described in subsection (b) is contained in a cession, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.

''§ 550. Marking pierheads in certain lakes

''The Commandant of the Coast Guard shall properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever he is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierhead has been completed.''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 547 the following:

''548. Prohibition against officers and employees being interested in contracts for materials.

''549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.

''550. Marking pierheads in certain lakes.''.

SEC. 5010. TRANSFERS RELATED TO EMPLOYEES OF LIGHTHOUSE SERVICE.

(a) Section 6 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 763) is repealed.

(b) Chapter 25 of title 14, United States Code, is amended by inserting after section 2531 the following:

''§ 2532. Retirement of employees

''(a) OPTIONAL RETIREMENT.—Except as provided in subsections (d) and (e), a covered employee may retire from further performance of duty if such officer or employee—

''(1) has completed 30 years of active service in the Government and is at least 55 years of age;

''(2) has completed 25 years of active service in the Government and is at least 62 years of age; or

''(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

''(b) COMPULSORY RETIREMENT.—A covered employee who becomes 70 years of age shall be compulsorily retired from further performance of duty.

''(c) RETIREMENT FOR DISABILITY.—

''(1) IN GENERAL.—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

''(2) RESTORATION TO ACTIVE DUTY.—Any individual retired under paragraph (1) may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

''(d) ANNUAL COMPENSATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), The annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last 3 years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

''(2) RETIREMENT BEFORE 55.—The retirement pay computed under paragraph (1) for any officer or employee retiring under this section shall be reduced by one-sixth of 1 percent for each full month the officer or employee is under 55 years of age at the date of retirement.

''(3) NO ALLOWANCE OR SUBSISTENCE.—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

''(e) EXCEPTION.—The retirement and pay provision in this section shall not apply to—

''(1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or

''(2) persons of the Coast Guard.

''(f) WAIVER.—Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect.

''(g) DEFINITION.—For the purposes of this section, the term 'covered employee' means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 25 of title 14, United States Code, is amended by inserting after the item relating to section 2531 the following:

''2532. Retirement of employees.''.

SEC. 5011. TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.

(a) BENEFIT TO SURVIVING SPOUSES.—Chapter 25 of title 14, United States Code, is further amended by inserting after section 2532 (as added by this division) the following:

''§ 2533. Surviving spouses

''The Secretary of the department in which the Coast Guard is operating shall pay $100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

''(1) at a time when such employee was receiving or was entitled to receive retirement pay under this subchapter; or

''(2) from non-service-connected causes after fifteen or more years of employment in such service.''.

(b) TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.—

(1) Chapter 25 of title 14, United States Code, is amended by inserting after section 2533 (as added by this division) the following:

''§ 2534. Application for benefits''.

(2)(A) Section 3 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 773), is redesignated as section 2534(a) of title 14, United States Code, transferred to appear after the heading of section 2534 of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(a), as so redesignated, transferred, and amended is further amended by striking ''this Act'' and inserting ''section 2533''.

(3)(A) Section 4 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 774), is redesignated

as section 2534(b) of title 14, United States Code, transferred to appear after section 2534(a) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(b), as so redesignated, transferred, and amended is further amended by striking ''the provisions of this Act'' and inserting ''section 2533''.

(4)(A) The proviso under the heading ''Payment to Civil Service Retirement and Disability Fund'' of title V of division C of Public Law 112–74 (33 U.S.C. 776) is redesignated as section 2534(c) of title 14, United States Code, transferred to appear after section 2534(b) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(c), as so redesignated, transferred, and amended is further amended by striking ''the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775),'' and inserting ''section 2533''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 25 of title 14, United States Code, is further amended by inserting after the item relating to section 2532 (as added by this division) the following:

''2533. Surviving spouses.
''2534. Application for benefits.''.

SEC. 5012. REPEALS RELATED TO LIGHTHOUSE STATUTES.

(a) IN GENERAL.—The following provisions are repealed:

(1) Section 4680 of the Revised Statutes of the United States (33 U.S.C. 725).

(2) Section 4661 of the Revised Statutes of the United States (33 U.S.C. 727).

(3) Section 4662 of the Revised Statutes of the United States (33 U.S.C. 728).

(4) The final paragraph in the account ''For Life-Saving and Life-Boat Stations'' under the heading Treasury Department in the first section of chapter 130 of the Act of March 3, 1875 (33 U.S.C. 730a).

(5) Section 11 of chapter 301 of the Act of June 17, 1910 (33 U.S.C. 743).

(6) The first section of chapter 215 of the Act of May 13, 1938 (33 U.S.C. 745a).

(7) The first section of chapter 313 of the Act of February 25, 1929 (33 U.S.C. 747b).

(8) Section 2 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 748).

(9) Section 4 of chapter 371 of the Act of May 22, 1926 (33 U.S.C. 754a).

(10) Chapter 642 of the Act of August 10, 1939 (33 U.S.C. 763a–1).

(11) Chapter 788 of the Act of October 29, 1949 (33 U.S.C. 763–1).

(12) Chapter 524 of the Act of July 9, 1956 (33 U.S.C. 763–2).

(13) The last 2 provisos under the heading Lighthouse Service, under the heading Department of Commerce, in the first section of chapter 161 of the Act of March 4, 1921 (41 Stat. 1417, formerly 33 U.S.C. 764).

(14) Section 3 of chapter 215 of the Act of May 13, 1938 (33 U.S.C. 770).

(15) The first section and section 2 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 771 and 772).

(b) SAVINGS.—

(1) Notwithstanding any repeals made by this section, any individual beneficiary currently receiving payments under the authority of any provisions repealed in this section shall continue to receive such benefits.

(2) Notwithstanding the repeals made under paragraphs (10) and (11) of subsection (a), any pay increases made under chapter 788 of the Act of October 29, 1949, and chapter 524 of the Act of July 9, 1956, as in effect prior to their repeal shall remain in effect.

TITLE VI—FEDERAL MARITIME COMMISSION

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Federal Maritime Commission Authorization Act of 2020''.

SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.

Section 308 of title 46, United States Code, is amended by striking ''$28,012,310 for fiscal year 2018 and $28,544,543 for fiscal year 2019'' and inserting ''$29,086,888 for fiscal year 2020 and $29,639,538 for fiscal year 2021''.

SEC. 6003. UNFINISHED PROCEEDINGS.

Section 305 of title 46, United States Code, is amended—

(1) by striking ''The Federal'' and inserting ''(a) IN GENERAL.—The Federal''; and

(2) by adding at the end the following:

''(b) TRANSPARENCY.—

''(1) IN GENERAL.—In conjunction with the transmittal by the President to the Congress of the Budget of the United States for fiscal year 2021 and biennially thereafter, the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives reports that describe the Commission's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

''(2) FORMAT OF REPORTS.—Each report under paragraph (1) shall, among other things, clearly identify for each unfinished regulatory proceeding—

''(A) the popular title;

''(B) the current stage of the proceeding;

''(C) an abstract of the proceeding;

''(D) what prompted the action in question;

''(E) any applicable statutory, regulatory, or judicial deadline;

''(F) the associated docket number;

''(G) the date the rulemaking was initiated;

''(H) a date for the next action; and

''(I) if a date for the next action identified in the previous report is not met, the reason for the delay.''.

SEC. 6004. TRANSFER OF FEDERAL MARITIME COMMISSION PROVISIONS.

(a) TRANSFER.—

(1) Subtitle IV of title 46, United States Code, is amended by adding at the end the following:

''PART D—FEDERAL MARITIME COMMISSION

''CHAPTER 461—FEDERAL MARITIME COMMISSION''.

(2) Chapter 3 of title 46, United States Code, is redesignated as chapter 461 of part D of subtitle IV of such title and transferred to appear in such part.

(3) Sections 301 through 308 of such title are redesignated as sections 46101 through 46108, respectively, of such title.

(b) CONFORMING AMENDMENTS.—

(1) Section 46101(c)(3)(A)(v) of title 46, United States Code, as so redesignated, is amended by striking ''304'' and inserting ''46104''.

(2) section 322(b) of the Coast Guard Personnel and Maritime Safety Act of 2002 (31 U.S.C. 1113 note) is amended by striking ''208 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1118)'' and inserting ''46106(a) of title 46, United States Code''.

(3) Section 1031(23) of the National Defense Authorization Act for Fiscal Year 2000 (31 U.S.C. 1113 note) is amended by striking ''208, 901(b)(2), and 1211 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1118, 1241(b)(2), 1291)'' and inserting ''44106(a) and 55305(d) of title 46, United States Code''.

(4) The analysis for subtitle I of title 46, United States Code, is amended by striking the item relating to chapter 3.

(5) The analysis for subtitle IV of such title is amended by adding at the end the following:

''PART D—FEDERAL MARITIME COMMISSION

''461. Federal Maritime Commission .. 46101''.

(6) The analysis for chapter 461 of part D of subtitle IV of such title, as so redesignated, is amended to read as follows:

''Sec.
''46101. General organization.
''46102. Quorum.
''46103. Meetings.
''46104. Delegation of authority.
''46105. Regulations.
''46106. Annual report.
''46107. Expenditures.
''46108. Authorization of appropriations.''.

(c) TECHNICAL CORRECTION.—Section 46103(c)(3) of title 46, United States Code, as so redesignated, is amended by striking ''555b(c)'' and inserting ''552b(c)''.

AMENDMENT NO. 118 OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle C of title VIII, insert the following new section:

SEC. 8____. DOMESTIC SOURCING REQUIREMENTS FOR ALUMINUM.

(a) FINDING.—Congress finds that aluminum production capacity in the United States is critical to United States national security.

(b) DESIGNATION OF ALUMINUM AS SPECIALTY METAL.—Section 2533b(l) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Aluminum and aluminum alloys.''

(c) FEDERAL HIGHWAY ADMINISTRATION.—Section 313(a) of title 23, United States Code, is amended by striking ''unless steel, iron, and manufactured products'' and inserting ''unless steel, iron, aluminum, and manufactured products''.

(d) FEDERAL TRANSIT ADMINISTRATION.—Section 5323(j) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''only if the steel, iron, and manufactured goods'' and inserting ''only if the steel, iron, aluminum, and manufactured goods'';

(2) in paragraph (2)(B), by striking ''steel, iron, and goods'' and inserting ''steel, iron, aluminum, and manufactured goods'';

(3) in paragraph (5), by striking ''or iron'' and inserting '', iron, or aluminum'';

(4) in paragraph (6)(A)(i), by inserting '', aluminum'' after ''iron'';

(5) in paragraph (10), by inserting '', aluminum'' after ''iron''; and

(6) in paragraph (12)—

(A) in the paragraph heading, by striking ''AND IRON'' and inserting '', IRON, AND ALUMINUM''; and

(B) by striking ''and iron'' and inserting '', iron, and aluminum''.

(e) FEDERAL RAILROAD ADMINISTRATION.—Section 22905(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''only if the steel, iron, and manufactured goods'' and inserting ''only if the steel, iron, aluminum, and manufactured products'';

(2) in paragraph (2)(B), by inserting '', aluminum'' after ''iron''; and

(3) in paragraph (9), by inserting '', aluminum'' after ''iron''.

(f) FEDERAL AVIATION ADMINISTRATION.—Section 50101(a) of title 49, United States Code, is amended by striking ''steel and manufactured goods'' and inserting ''steel, aluminum, and manufactured goods''.

(g) AMTRAK.—Section 24305(f)(2) of title 49, United States Code, is amended by inserting ''(including aluminum)'' after ''supplies'' each place it appears.

AMENDMENT NO. 119 OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle C of title VIII, add the following new section:

SEC. 8__. REPORT ON ALUMINUM REFINING, PROCESSING, AND MANUFACTURING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, consistent with any determinations made pursuant to section 101 of the Defense Production Act of 1950 (50 U.S.C. 4511), the refining of aluminum and the development of processing and manufacturing capabilities for aluminum, including a geographically diverse set of such capabilities, may have important implications for the defense industrial base and the national defense.

(b) REPORT.—Not later than September 30, 2021, the Secretary of Defense shall submit to the appropriate congressional committees a report on—

(1) how authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) could be used to provide incentives to increase activities relating to refining aluminum and the development of processing and manufacturing capabilities for aluminum; and

(2) whether a new initiative would further the development of such processing and manufacturing capabilities for aluminum.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services of the Senate and the House of Representatives; and

(B) the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) NATIONAL DEFENSE.—The term ''national defense'' shall have the same meaning as such term under section 702 of the Defense Production Act of 1950 (50 U.S. C. 4552).

AMENDMENT NO. 120 OFFERED BY MR. DELGADO OF NEW YORK

Page 1024, after line 6, insert the following:

SEC. 1706. REPORT REGARDING VETERANS WHO RECEIVE BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish a report regarding veterans who receive benefits under laws administered by the Secretary, including the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

(b) DATA.—The data regarding veterans published in the report under subsection (a)—

(1) shall be disaggregated by—

(A) sex;

(B) sexual orientation;

(C) gender identity;

(D) minority group member status; and

(E) minority group member status listed by sex; and

(2) may not include any personally identifiable information.

(c) MATTERS INCLUDED.—The report under subsection (a) shall include—

(1) identification of any disparities in the use of benefits under laws administered by the Secretary;

(2) an analysis of the cause of such disparities, and recommendations to address such disparities; and

(3) identification of veterans who are determined to be ineligible for benefits due to discharge status.

(d) MINORITY GROUP MEMBER DEFINED.—In this section, the term ''minority group member'' has the meaning given that term in section 544 of title 38, United States Code.

AMENDMENT NO. 121 OFFERED BY MR. DELGADO OF NEW YORK

Add at the end of subtitle E of title XVII the following:

SEC. 1762. 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), by adding at the end the following:

''(3) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or any successor regulation), shall not apply to a chemical described in paragraph (1) unless the Administrator, in accordance with paragraph (2)(B), revises the threshold for reporting such chemical to 10,000 pounds.'';

(2) in subsection (c), by adding at the end the following:

''(3) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or any successor regulation), shall not apply to the substances and classes of substances included in the toxics release inventory under paragraph (1) unless the Administrator, in accordance with paragraph (2)(B), revises the threshold for reporting such substances and class of substances to 10,000 pounds.''; and

(3) in subsection (d), by adding at the end the following:

''(4) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or any successor regulation), shall not apply to the substances and classes of substances described in paragraph (2) unless the Administrator sets a 10,000 pound reporting threshold for such substances and classes of substances.''.

AMENDMENT NO. 122 OFFERED BY MR. DEUTCH OF FLORIDA

Add at the end of title XII the following:

Subtitle H—United States Nationals Unlawfully or Wrongfully Detained Abroad

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act''.

SEC. 1282. 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 1283.

(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 1284(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. 1283. SPECIAL ENVOY FOR HOSTAGE AFFAIRS.

(a) ESTABLISHMENT.—There is within the office of the Secretary of State a Special Presidential Envoy for Hostage Affairs.

(b) RESPONSIBILITIES.—The Special Presidential Envoy for Hostage Affairs, under the supervision of the Secretary of State, shall—

(1) lead diplomatic engagement on United States hostage policy;

(2) coordinate all diplomatic engagements 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) coordinate with the Hostage Recovery Fusion Cell proposals for diplomatic engagements and strategy in support of hostage recovery efforts;

(4) provide senior representation from the Special Envoy's office to the Hostage Recovery Fusion Cell established under section 1284 and the Hostage Response Group established under section 1285; and

(5) in coordination with the Hostage Recovery Fusion Cell as appropriate, coordinate diplomatic engagements regarding cases in which a foreign government confirms that it has detained a United States national but the United States Government regards such detention as unlawful or wrongful.

SEC. 1284. 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. 1285. 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 1283, 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. 1286. 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 section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, 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. 1287. 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. 1288. RULE OF CONSTRUCTION.

Nothing in this subtitle may be construed to authorize a private right of action.

AMENDMENT NO. 123 OFFERED BY MR. ENGEL OF NEW YORK

Add at the end of title XII the following:

Subtitle H—Matters Relating to the Northern Triangle

SEC. 1281. ACTIONS TO ADVANCE PROSPERITY IN THE NORTHERN TRIANGLE.

(a) SECRETARY OF STATE PRIORITIZATION.—The Secretary of State shall prioritize prosperity in the Northern Triangle countries by carrying out the following initiatives:

(1) Supporting market-based solutions to eliminate constraints to inclusive economic growth, including through support for increased digital connectivity and the use of financial technology, and private sector and civil society-led efforts to create jobs and foster economic prosperity.

(2) Addressing underlying causes of poverty and inequality, including by improving nutrition and food security, providing health resources and access to clean water, sanitation, hygiene, and shelter, and improving livelihoods.

(3) Responding to immediate humanitarian needs by increasing humanitarian assistance, including through access to clean water, sanitation, hygiene, and shelter, improving livelihoods, and by providing health resources and improving nutrition and food security.

(4) Supporting conservation and community resilience and strengthening community preparedness for natural disasters and other external shocks.

(5) Identifying, as appropriate, a role for the United States International Development Finance Corporation, the Millennium Challenge Corporation (MCC), the United States Agency for International Development, and the United States private sector in supporting efforts to increase private sector investment and strengthen economic prosperity.

(6) Expanding comprehensive reintegration mechanisms for repatriated individuals once returned to their countries of origin and supporting efforts by the private sector to hire and train eligible returnees.

(7) Establishing monitoring and verification services to determine the well-being of repatriated children in order to determine if United States protection and screening functioned effectively in identifying persecuted and trafficked children.

(8) Supporting efforts to increase domestic resource mobilization, including through strengthening of tax collection and enforcement and legal arbitration mechanisms.

(b) STRATEGY.—

(1) ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the President and Chief Executive Officer of the Inter-American Foundation, the Director of the United States Trade and Development Agency, the Chief Executive Officer of the United States International Development Finance Corporation, and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a 5-year strategy to prioritize prosperity in the Northern Triangle countries by carrying out the initiatives described in subsection (a).

(2) CONSULTATION.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with nongovernmental organizations in the Northern Triangle countries and the United States.

(3) BENCHMARKS.—The strategy required under paragraph (1) shall include annual benchmarks to track the strategy's progress in curbing irregular migration from the Northern Triangle to the United States.

(4) PUBLIC DIPLOMACY.—The strategy required under paragraph (1) shall include a public diplomacy strategy for educating citizens of the Northern Triangle countries about United States assistance and its benefits to them, and informing such citizens of the dangers of illegal migration to the United States.

(5) ANNUAL PROGRESS UPDATES.—Not later than 1 year after the submission of the strategy required under paragraph (1) and annually thereafter for 4 years, the Secretary of State shall provide the appropriate congressional committees with a written description of progress made in meeting the benchmarks established in the strategy.

(6) PUBLIC AVAILABILITY.—The strategy required under paragraph (1) shall be made publicly available on the website of the Department of State.

(c) REPORT ON ESTABLISHING AN INVESTMENT FUND FOR THE NORTHERN TRIANGLE COUNTRIES AND SOUTHERN MEXICO.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States International Development Finance Corporation shall submit to the appropriate congressional committees a detailed report assessing the feasibility, costs, and benefits of the Corporation establishing an investment fund to promote economic and social development in the Northern Triangle countries and southern Mexico.

SEC. 1282. ACTIONS TO COMBAT CORRUPTION IN THE NORTHERN TRIANGLE.

(a) SECRETARY OF STATE PRIORITIZATION.—The Secretary of State shall prioritize efforts to combat corruption in the Northern Triangle countries by carrying out the following initiatives:

(1) Supporting anticorruption efforts, including by strengthening national justice systems and attorneys general, providing technical assistance to identify and prosecute money laundering and other financial

crimes, breaking up financial holdings of organized criminal syndicates, including illegally acquired lands and proceeds from illegal activities, and supporting independent media and investigative reporting.

(2) Supporting anticorruption efforts through bilateral assistance and complementary support through multilateral anticorruption mechanisms when necessary.

(3) Encouraging cooperation agreements between the Department of State and relevant United States Government agencies and attorneys general to fight corruption.

(4) Supporting efforts to strengthen special prosecutorial offices and financial institutions to combat corruption, money laundering, financial crimes, extortion, human rights crimes, asset forfeiture, and criminal analysis.

(5) Supporting initiatives to advance judicial integrity and improve security for members of the judicial sector.

(6) Supporting transparent, merit-based selection processes for prosecutors and judges and the development of professional and merit-based civil services.

(7) Supporting the establishment or strengthening of methods, procedures, and expectations for internal and external control mechanisms for the security and police services and judiciary.

(8) Supporting the adoption of appropriate technologies to combat corruption in public finance.

(b) STRATEGY.—

(1) ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a 5-year strategy to combat corruption in the Northern Triangle countries by carrying out the initiatives described in subsection (a).

(2) CONSULTATION.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with nongovernmental organizations in the Northern Triangle countries and the United States.

(3) BENCHMARKS.—The strategy required under paragraph (1) shall include annual benchmarks to track the strategy's progress in curbing irregular migration from the Northern Triangle to the United States.

(4) PUBLIC DIPLOMACY.—The strategy required under paragraph (1) shall include a public diplomacy strategy for educating citizens of the Northern Triangle countries about United States assistance and its benefits to them, and informing such citizens of the dangers of illegal migration to the United States.

(5) ANNUAL PROGRESS UPDATES.—Not later than 1 year after the submission of the strategy required under paragraph (1) and annually thereafter for 4 years, the Secretary of State shall provide the appropriate congressional committees with a written description of progress made in meeting the benchmarks established in the strategy.

(6) PUBLIC AVAILABILITY.—The strategy required under paragraph (1) shall be made publicly available on the website of the Department of State.

(c) DESIGNATION OF A SENIOR RULE OF LAW ADVISOR FOR THE NORTHERN TRIANGLE IN THE BUREAU OF WESTERN HEMISPHERE AFFAIRS.—The Secretary of State shall designate in the Bureau of Western Hemisphere Affairs of the Department of State a Senior Rule of Law Advisor for the Northern Triangle who shall lead diplomatic engagement with the Northern Triangle countries in support of democratic governance, anticorruption efforts, and the rule of law in all aspects of United States policy towards the countries of the Northern Triangle, including carrying out the initiatives described in subsection (a) and developing the strategy required under subsection (b). The individual designated in accordance with this subsection shall be a Department of State employee in the Bureau of Western Hemisphere Affairs.

SEC. 1283. ACTIONS TO STRENGTHEN DEMOCRATIC INSTITUTIONS IN THE NORTHERN TRIANGLE.

(a) SECRETARY OF STATE PRIORITIZATION.—The Secretary of State shall prioritize strengthening democratic institutions, good governance, human rights, and the rule of law in the Northern Triangle countries by carrying out the following initiatives:

(1) Providing support to strengthen government institutions and actors at the local and national levels to provide services and respond to citizen needs through transparent, inclusive, and democratic processes.

(2) Supporting efforts to strengthen access to information laws and reform laws that currently limit access to information.

(3) Financing efforts to build the capacity of independent media with a specific focus on professional investigative journalism.

(4) Ensuring that threats and attacks on journalists and human rights defenders are fully investigated and perpetrators are held accountable.

(5) Developing the capacity of civil society to conduct oversight and accountability mechanisms at the national and local levels.

(6) Training political actors committed to democratic principles.

(7) Strengthening electoral institutions and processes to ensure free, fair, and transparent elections.

(8) Advancing conservation principles and the rule of law to address multiple factors, including the impacts of illegal cattle ranching and smuggling as drivers of deforestation.

(b) STRATEGY.—

(1) ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a strategy to support democratic governance in the Northern Triangle countries by carrying out the initiatives described in subsection (a).

(2) CONSULTATION.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with nongovernmental organizations in the Northern Triangle countries and the United States.

(3) BENCHMARKS.—The strategy required under paragraph (1) shall include annual benchmarks to track the strategy's progress in curbing irregular migration from the Northern Triangle to the United States.

(4) PUBLIC DIPLOMACY.—The strategy required under paragraph (1) shall include a public diplomacy strategy for educating citizens of the Northern Triangle countries about United States assistance and its benefits to them, and informing such citizens of the dangers of illegal migration to the United States.

(5) ANNUAL PROGRESS UPDATES.—Not later than 1 year after the submission of the strategy required under paragraph (1) and annually thereafter for 4 years, the Secretary of State shall provide the appropriate congressional committees with a written description of progress made in meeting the benchmarks established in the strategy.

(6) PUBLIC AVAILABILITY.—The strategy required under paragraph (1) shall be made publicly available on the website of the Department of State.

SEC. 1284. ACTIONS TO IMPROVE SECURITY CONDITIONS IN THE NORTHERN TRIANGLE.

(a) SECRETARY OF STATE PRIORITIZATION.—The Secretary of State shall prioritize security in the Northern Triangle countries by carrying out the following initiatives:

(1) Implementing the Central America Regional Security Initiative of the Department of State.

(2) Continuing the vetting and professionalization of security services, including the civilian police and military units.

(3) Supporting efforts to combat the illicit activities of criminal gangs and transnational criminal organizations, including MS–13 and the 18th Street Gang, through support to fully vetted elements of attorneys general offices, appropriate government institutions, and security services.

(4) Supporting training for fully vetted civilian police and appropriate security services in criminal investigations, best practices for citizen security, and human rights.

(5) Providing capacity-building to relevant security services and attorneys general to support counternarcotics efforts and combat human trafficking, forcible recruitment of children and youth by gangs, gender-based violence, and other illicit activities, including trafficking of wildlife, and natural resources.

(6) Encouraging collaboration with regional and international partners in implementing security assistance, including by supporting cross-border information sharing on gangs and transnational criminal organizations.

(7) Providing equipment, technology, tools, and training to security services to assist in border and port inspections.

(8) Providing equipment, technology, tools, and training to assist security services in counternarcotics and other efforts to combat illicit activities.

(9) Continuing information sharing regarding known or suspected terrorists and other individuals and entities that pose a potential threat to United States national security that are crossing through or residing in the Northern Triangle.

(10) Supporting information sharing on gangs and transnational criminal organizations between relevant Federal, State, and local law enforcement and the governments of the Northern Triangle countries.

(11) Considering the use of assets and resources of United States State and local government entities, as appropriate, to support the activities described in this subsection.

(12) Providing thorough end-use monitoring of equipment, technology, tools, and training provided pursuant to this subsection.

(b) STRATEGY.—

(1) ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees a 5-year strategy to prioritize the improvement of security in the Northern Triangle countries by carrying out the initiatives described in subsection (a).

(2) CONSULTATION.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with nongovernmental organizations in the Northern Triangle countries and the United States.

(3) BENCHMARKS.—The strategy required under paragraph (1) shall include annual benchmarks to track the strategy's progress in curbing irregular migration from the Northern Triangle to the United States.

(4) PUBLIC DIPLOMACY.—The strategy required under paragraph (1) shall include a public diplomacy strategy for educating citizens of the Northern Triangle countries about United States assistance and its benefits to them, and informing such citizens of the dangers of illegal migration to the United States.

(5) ANNUAL PROGRESS UPDATES.—Not later than 1 year after the submission of the strategy required under paragraph (1) and annually thereafter for 4 years, the Secretary of State shall provide the appropriate congressional committees with a written description of progress made in meeting the benchmarks established in the strategy.

(6) PUBLIC AVAILABILITY.—The strategy required under paragraph (1) shall be made publicly available on the website of the Department of State.

(c) WOMEN AND CHILDREN PROTECTION COMPACTS.—

(1) IN GENERAL.—The President, in consultation with the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other relevant Federal departments or agencies, is authorized to enter into bilateral agreements with one or more of the Governments of El Salvador, Guatemala, or Honduras to provide United States assistance for the purposes of—

(A) strengthening the capacity of the justice systems in such countries to protect women and children fleeing domestic, gang, or drug violence and to serve victims of domestic violence, sexual assault, trafficking, or child abuse or neglect, including by strengthening the capacity of such systems to hold perpetrators accountable; and

(B) creating, securing, and sustaining safe communities and schools in such countries, by building on current approaches to prevent and deter violence against women and children in such communities or schools.

(2) REQUIREMENTS.—An agreement under the authority provided by paragraph (1)—

(A) shall establish a 3- to 6-year plan to achieve the objectives described in subparagraphs (A) and (B) of such paragraph;

(B) shall include measurable goals and indicators with respect to such objectives;

(C) may not provide for any United States assistance to be made available directly to any of the governments of El Salvador, Guatemala, or Honduras; and

(D) may be suspended or terminated with respect to a country or an entity receiving assistance pursuant to the agreement, if the Secretary of State determines that such country or entity has failed to make sufficient progress towards the goals of the Compact.

SEC. 1285. TARGETED SANCTIONS TO FIGHT CORRUPTION IN THE NORTHERN TRIANGLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) corruption in the Northern Triangle countries by private citizens and select officials in local, regional, and Federal governments significantly damages the economies of such countries and deprives citizens of opportunities;

(2) corruption in the Northern Triangle is facilitated and carried out not only by private citizens and select officials from those countries but also in many instances by individuals from third countries; and

(3) imposing targeted sanctions on individuals from throughout the world and particularly in the Western Hemisphere who are engaged in acts of significant corruption that impact the Northern Triangle countries or obstruction of investigations into such acts of corruption will benefit the citizens and governments of such countries.

(b) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (c) with respect to a foreign person who the President determines on or after the date of the enactment of this Act to have knowingly engaged in significant corruption or obstruction of investigations into such acts of corruption in a Northern Triangle country, including the following:

(1) Corruption related to government contracts.

(2) Bribery and extortion.

(3) The facilitation or transfer of the proceeds of corruption, including through money laundering.

(4) Acts of violence, harassment, or intimidation directed at governmental and nongovernmental corruption investigators.

(c) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person 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) INELIGIBILITY FOR VISAS AND ADMISSION TO THE UNITED STATES.—In the case of a foreign person who is an individual, such foreign person is—

(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.).

(C) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The issuing consular officer or the Secretary of State, (or a designee of the Secretary of State) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to a foreign person regardless of when the visa or other entry documentation is issued.

(ii) EFFECT OF REVOCATION.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of a measure imposed pursuant to paragraph (1)(A) or any regulation, license, or order issued to carry out such paragraph shall be subject to the penalties specified 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 such section.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Sanctions under subparagraph (B) and (C) of paragraph (1) shall not apply with respect to a foreign person if admitting or paroling such person into the United States is necessary 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.

(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

(1) 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 carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) NATIONAL INTEREST WAIVER.—The President may waive the application of the sanctions under subsection (c) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a notice of and justification for the waiver.

(f) TERMINATION.—The authority to impose sanctions under subsection (b), and any sanctions imposed pursuant to such authority, shall expire on the date that is 3 years after the date of the enactment of this Act.

(g) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The authorities and requirements to impose sanctions authorized under this Act shall not include the authority or requirement to impose sanctions on the importation of goods.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) GOOD.—The term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(3) PERSON FROM A NORTHERN TRIANGLE COUNTRY.—The term ''person from a Northern Triangle country'' means—

(A) a citizen of a Northern Triangle country; or

(B) an entity organized under the laws of a Northern Triangle country or any jurisdiction within a Northern Triangle country.

SEC. 1286. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except as otherwise provided, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) NORTHERN TRIANGLE.—The term ''Northern Triangle'' means the region of Central America that encompasses the countries of El Salvador, Guatemala, and Honduras.

(3) NORTHERN TRIANGLE COUNTRIES.—The term ''Northern Triangle countries'' means the countries of El Salvador, Guatemala, and Honduras.

(4) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' has the meaning given the term ''significant transnational criminal organization'' in Executive Order No. 13581 (July 24, 2011).

AMENDMENT NO. 124 OFFERED BY MR. ENGEL OF NEW YORK

At the end of title XII, insert the following:

Subtitle ____.—ADDITIONAL MATTERS RELATING TO NATO ALLIES AND PARTNERS

SEC. 12____. FOREIGN MILITARY LOAN AUTHORITY.

(a) IN GENERAL.—Beginning in fiscal year 2021, subject to the notification requirements

under subsection (b) and to the availability of appropriations, the President, acting through the Secretary of State, is authorized—

(1) to make direct loans under section 23 of the Arms Export Control Act (22 U.S.C. 2763) to NATO member countries that joined the alliance after March 1, 1999, notwithstanding the minimum interest rate required by subsection (c)(1) of such section; and

(2) to charge fees for such loans under paragraph (1), which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974 and which may be used to cover the costs of such loans as defined in section 502 of the Congressional Budget Act of 1974.

(b) NOTIFICATION.—A loan may not be made under the authority provided by subsection (a) unless the Secretary of State submits to the appropriate congressional committees a certification, not fewer than 15 days before entering into an agreement to make such loan, that—

(1) the recipient country is making demonstrable progress toward meeting its defense spending commitments in accordance with the 2014 NATO Wales Summit Declaration; and

(2) the government of such recipient country is respecting that country's constitution and upholds democratic values such as freedom of religion, freedom of speech, freedom of the press, the rule of law, and the rights of religious minorities.

(c) REPAYMENT.—A loan made under the authority provided by subsection (a) shall be repaid in not more than 12 years, but may include a grace period of up to 1 year on the repayment of the principal.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 12___. AUTHORIZATION OF REWARDS FOR PROVIDING INFORMATION ON FOREIGN ELECTION INTERFERENCE.

Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(1) in subsection (a)(2), by inserting ''foreign election interference,'' before ''transnational organized crime'';

(2) in subsection (b)—

(A) in paragraph (5), by striking ''or (10)'' and inserting ''(10), or (13)'';

(B) in paragraph (11), by striking ''or'' after the semicolon at the end;

(C) in paragraph (12)—

(i) by striking ''sections'' and inserting ''section'';

(ii) by striking ''or (b)(1)'' and inserting ''or 2914(b)(1)''; and

(iii) by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following new paragraph:

''(13) the identification or location of a foreign person that knowingly engaged or is engaging in foreign election interference.''; and

(3) in subsection (k)—

(A) by redesignating paragraphs (3) through (8) as paragraphs (5) through (10), respectively;

(B) by inserting after paragraph (2) the following new paragraphs:

''(3) FOREIGN PERSON.—The term 'foreign person' means—

''(A) an individual who is not a United States person; or

''(B) a foreign entity.

''(4) FOREIGN ELECTION INTERFERENCE.—The term 'foreign election interference' means conduct by a foreign person that—

''(A)(i) violates Federal criminal, voting rights, or campaign finance law; or

''(ii) is performed by any person acting as an agent of or on behalf of a foreign government or criminal enterprise; and

''(B) includes any covert, fraudulent, deceptive, or unlawful act or attempted act, or knowing use of information acquired by theft, undertaken with the purpose or effect of undermining public confidence in election processes or institutions, or influencing, undermining confidence in, or altering the result or reported result of, a general or primary Federal, State, or local election or caucus, including—

''(i) the campaign of a candidate; or

''(ii) a ballot measure, including an amendment, a bond issue, an initiative, a recall, a referral, or a referendum.''; and

(C) in paragraph (10), as so redesignated, in subparagraph (A), by striking ''and'' after the semicolon and inserting ''or''.

SEC. 12___. REPORT ON NATO MEMBER CONTRIBUTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the Secretary of Defense, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report, in classified form but with an unclassified annex, that provides an accounting in United States dollars and assesses the contributions of NATO member countries to the security of the alliance.

(b) MATTERS TO BE INCLUDED.— The report required by subsection (a) shall also include the following with respect to each member country:

(1) Data for the following categories from 2014 through 2019:

(A) Defense spending as a percentage of gross domestic product (GDP).

(B) Year-to-year percent change in defense spending as a percentage of GDP.

(C) Percentage of defense spending spent on major equipment.

(D) Year-to-year percent change in equipment spending as a percentage of defense spending.

(E) Total security assistance or equivalent assistance to other NATO member countries or members of the NATO Partnership for Peace program.

(F) Total economic and development assistance or equivalent assistance to critical NATO partners, such as Ukraine, Georgia, Bosnia and Herzegovina, Kosovo, Moldova, and others.

(2) Participation in or contributions to United States or NATO-led missions, exercises, and combat and non-combat operations since March 24, 1999, such as the following:

(A) NATO's Enhanced Forward Presence.

(B) Global Coalition Against ISIS.

(C) NATO's Very High Readiness Joint Task Force.

(D) Operations in Afghanistan.

(3) Efforts to improve domestic conditions to facilitate military mobility in Europe, including relevant infrastructure and legal and regulatory conditions.

(4) Financial costs and benefits of the host countries of United States forces in Europe, including permanent basing.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

SEC. 12___. 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 a report to the appropriate committees of Congress on the capability and capacity requirements of the military forces of the Government of Ukraine, which shall include the following:

(1) An identification of the capability gaps and capacity shortfalls of the military of Ukraine, including—

(A) an assessment of the requirements of the Ukrainian navy to accomplish its assigned missions; and

(B) an assessment of the requirements of the Ukrainian air force 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; or

(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 pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(5) An assessment of the human resource requirements of the Office of Defense Cooperation at the United States Embassy in Kyiv and any gaps in its capacity to transmit and facilitate security assistance to Ukraine.

(6) Any recommendations the Secretaries deem appropriate concerning coordination of security assistance efforts of the Department of Defense and Department of State with respect to Ukraine.

(b) RESOURCE PLAN.—Not later than February 15, 2022, the Secretary of State and Secretary of Defense shall jointly submit a report on resourcing 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 pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(2) With respect to the Ukrainian navy:

(A) A capability development plan, with milestones, describing the manner in which

the United States will assist the Government of Ukraine in meeting the requirements described 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 Ukrainian navy, while maintaining interoperability with United States platforms to the greatest extent feasible.

(C) A plan to prioritize Excess Defense Articles for the Ukrainian navy to the maximum extent practicable during the time period described in paragraph (1).

(D) An assessment of how United States security assistance to the Ukrainian navy is in the national security interests of the United States.

(3) With respect to the Ukrainian air force—

(A) a capability development plan, with milestones, detailing how the United States will assist the Government of Ukraine in meeting the requirements described 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 Ukrainian air force, while maintaining interoperability with United States platforms to the greatest extent feasible;

(C) a plan to prioritize excess defense articles for the Ukraine air force to the maximum extent practicable during the time period described in paragraph (1);

(D) an assessment of how United States security assistance to the Ukrainian air force is in the national security interests of the United States.

(4) An assessment of progress on defense institutional reforms in Ukraine, including in the Ukrainian navy and air force, in the time period described in paragraph (1) 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 Ukraine's sovereignty and territorial integrity;

(C) achieving the Government of Ukraine's stated goal of meeting NATO standards; and

(D) allowing Ukraine to achieve its full potential as a strategic partner of the United States.

(c) FORM.—The report required under subsection (a) and the resource plan required under 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 Armed Services Committees of the Senate and House of Representatives;

(2) the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives; and

(3) the Appropriations Committees of the Senate and House of Representatives.

SEC. 12___. EFFORTS TO COUNTER MALIGN AUTHORITARIAN INFLUENCE.

(a) SENSE OF CONGRESS ON THE RELATIONSHIP BETWEEN RUSSIA AND SERBIA.—It is the sense of Congress that—

(1) the Government of Russia seeks to undermine the security of the United States, its NATO allies, and other close partners in Europe;

(2) the Government of Russia seeks to undermine the legitimate interests of the United States, NATO, the European Union, and other allied and partner governments in strategically significant regions;

(3) the values of the Government of Russia are inconsistent with the values of freedom, democracy, free speech, free press, the respect for the rule of law, and other ideals that underpin the international rules-based order formed on the basis of Western institutions including NATO and the European Union;

(4) the Government of Russia continues its campaign to undermine and erode the values of NATO and the European Union, institutions that Serbia claims to strive to join;

(5) the Government of Serbia, particularly under the leadership of President Alexander Vucic, has acted in ways that do not comport with the values of the United States, NATO, the European Union, and member countries of each such organization;

(6) the Government of Serbia, particularly under the leadership of President Alexander Vucic, has continued to deepen its military ties and cooperation with the Government of Russia;

(7) the United States Government should, in its bilateral engagements with the Government of Serbia, stress the importance of Serbia reducing its military ties with Russia; and

(8) the Government of Serbia should be sanctioned under appropriate authorities of the Countering America's Adversaries Through Sanctions Act of 2017 if its deepened military ties have facilitated transactions between the Government of Serbia and the Government of Russia that are deemed ''significant'' for purposes of such Act.

(b) REPORT ON MALIGN RUSSIAN AND CHINESE INFLUENCE IN SERBIA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an unclassified report, which may contain a classified annex, assessing trends of malign influence from the governments of Russia and China in Serbia including with respect to the following:

(1) Corruption of political institutions and political leaders in Serbia by Russia or China.

(2) The use of propaganda, disinformation, and other information tools to promote stronger ties between Serbia and Russia or China or to discourage Serbia from advancing toward greater integration with Western institutions like the European Union.

(3) The use of foreign assistance and associated media messaging to influence public opinion in Serbia with respect to Russia or China.

(4) The deepening of military-to-military cooperation or cooperation in other national security and law enforcement sectors between Serbia and Russia or China.

(5) The expansion of economic ties between Serbia and Russia or China, especially in the energy, mining, and industrial sectors.

(6) The use of religious or ethnic ties to deepen relations between Serbia and Russia.

(c) REPORT ON POTENTIAL CAATSA VIOLATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, which may contain a classified annex, that lists each country that has taken delivery of military equipment manufactured in Russia since the enactment of the Countering America's Adversaries Through Sanctions Act of 2017, and determines whether any transactions described in the report constitute a significant transaction as described in such Act, including countries that have—

(1) purchased of Russian equipment from the Government of Russia;

(2) obtained Russian equipment provided by the Government of Russia as aid, assistance, or for related purposes; or

(3) obtained Russian equipment provided by the Government of Russia as a gift.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 125 OFFERED BY MR. ENGEL OF NEW YORK

Page 699, line 11, strike ''and''.

Page 699, line 13, insert ''and'' after the semicolon at the end.

Page 699, after line 13, insert the following:

(C) in paragraph (2), by adding at the end the following new subparagraphs:

''(G) A description of the entities with which the recipients of support are engaged in hostilities and whether each such entity is covered under an authorization for use of military force.

''(H) A description of the steps taken to ensure the support is consistent with other United States diplomatic and security objectives, including issues related to local political dynamics, civil-military relations, and human rights.

''(I) A description of the steps taken to ensure that the recipients of the support have not engaged in human rights violations or violations of the Geneva Conventions of 1949, including vetting, training, and support for adequately investigating allegations of violations and removing support in case of credible reports of violations.'';

Page 701, after line 13, insert the following:

(5) by striking subsection (g), as redesignated by paragraph (3), and inserting the following new subsection (g):

''(g) CONSTRUCTION OF AUTHORITY.—Nothing in this section may be construed to constitute authority to conduct or provide statutory authorization for any of the following:

''(1) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(2) An introduction of the armed forces, (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c)), into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

''(3) The provision of support to regular forces, irregular forces, groups, or individuals to conduct operations that United States special operations forces are not otherwise authorized to conduct.

''(4) Activities or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.'';

AMENDMENT NO. 126 OFFERED BY MR. ENGEL OF NEW YORK

At the end of title XII, add the following:

Subtitle H—Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020''.

SEC. 1282. DEFINITIONS.

Except as otherwise provided, in this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTIONS.—The term ''international financial institutions'' means—

(A) the International Monetary Fund;

(B) the International Bank for Reconstruction and Development;

(C) the International Development Association;

(D) the International Finance Corporation;

(E) the Inter-American Development Bank;

(F) the Asian Development Bank;

(G) the Inter-American Investment Corporation;

(H) the African Development Bank;

(I) the European Bank for Reconstruction and Development;

(J) the Multilateral Investment Guaranty Agency; and

(K) any multilateral financial institution, established after the date of enactment of this Act, that could provide financial assistance to the Government of Sudan.

(3) SOVEREIGNTY COUNCIL.—The term ''Sovereignty Council'' means the governing body of Sudan during the transitional period that consists of—

(A) five civilians selected by the Forces of Freedom and Change;

(B) five members selected by the Transitional Military Council; and

(C) one member selected by agreement between the Forces of Freedom and Change and the Transitional Military Council.

(4) SUDANESE SECURITY AND INTELLIGENCE SERVICES.—The term ''Sudanese security and intelligence services'' means—

(A) the Sudan Armed Forces;

(B) the Rapid Support Forces,

(C) Sudan's Popular Defense Forces and other paramilitary units;

(D) Sudan's police forces;

(E) the General Intelligence Service, previously known as the National Intelligence and Security Services; and

(F) related entities, such as Sudan's Military Industry Corporation.

(5) TRANSITIONAL PERIOD.—The term ''transitional period'' means the 39-month period beginning on August 17, 2019, the date of the signing of Sudan's constitutional charter, during which—

(A) the members of the Sovereignty Council described in paragraph (3)(B) select a chair of the Council for the first 21 months of the period; and

(B) the members of the Sovereignty Council described in paragraph (3)(A) select a chair of the Council for the remaining 18 months of the period.

SEC. 1283. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) support a civilian-led political transition in Sudan that results in a democratic government, that is accountable to its people, respects and promotes human rights, is at peace internally and with its neighbors, and can be a partner for regional stability;

(2) support the implementation of Sudan's constitutional charter for the transitional period; and

(3) pursue a strategy of calibrated engagement with Sudan that includes—

(A) facilitating an environment for free, fair, and credible democratic elections and a pluralistic and representative political system;

(B) supporting reforms that improve transparency and accountability, remove restrictions on civil and political liberties, and strengthen the protection of human rights, including religious freedom;

(C) strengthening civilian institutions, judicial independence, and the rule of law;

(D) empowering civil society and independent media;

(E) promoting national reconciliation and enabling a just, comprehensive, and sustainable peace;

(F) promoting the role of women in government, the economy, and society, in recognition of the seminal role that women played in the social movement that ousted former president Omar al-Bashir;

(G) promoting accountability for genocide, war crimes, crimes against humanity, and sexual and gender-based violence;

(H) encouraging the development of civilian oversight over and professionalization of the Sudanese security and intelligence services and strengthening accountability for human rights violations and abuses, corruption, or other abuses of power;

(I) promoting economic reform, private sector engagement, and inclusive economic development while combating corruption and illicit economic activity, including that which involves the Sudanese security and intelligence services;

(J) securing unfettered humanitarian access across all regions of Sudan;

(K) supporting improved development outcomes, domestic resource mobilization, and catalyzing market-based solutions to improve access to health, education, water and sanitation, and livelihoods; and

(L) promoting responsible international and regional engagement.

SEC. 1284. SUPPORT FOR DEMOCRATIC GOVERNANCE, RULE OF LAW, HUMAN RIGHTS, AND FUNDAMENTAL FREEDOMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the political transition in Sudan, following several months of popular protests against the regime of Omar al-Bashir, represents an opportunity for the United States to support democracy, good governance, rule of law, human rights, and fundamental freedoms in Sudan.

(b) IN GENERAL.—Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 or the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) to—

(1) provide for democracy and governance programs that strengthen and build the capacity of representative civilian government institutions, political parties, and civil society in Sudan;

(2) support the organization of free, fair, and credible elections in Sudan;

(3) provide technical support for legal and policy reforms that improve transparency and accountability and protect human rights, including religious freedom, and civil liberties in Sudan;

(4) support for human rights and fundamental freedoms, including the freedoms of religion or belief; expression, including for members of the press, assembly; and association in Sudan;

(5) support measures to improve and increase women's participation in the political, economic, and social sectors of Sudan; and

(6) support other related democracy, good governance, rule of law, and fundamental freedom programs and activities.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) for fiscal years 2021 and 2022, $20,000,000 is authorized to be appropriated for each such fiscal year to carry out this section.

SEC. 1285. SUPPORT FOR DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 or the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) for programs in Sudan to—

(1) increase agricultural and livestock productivity;

(2) promote economic growth, increase private sector productivity and advance market-based solutions to address development challenges;

(3) support women's economic empowerment and economic opportunities for youth and previously marginalized populations;

(4) improve equal access to quality basic education;

(5) support the capacity of universities to equip students to participate in a pluralistic and global society through virtual exchange and other programs;

(6) improve access to water, sanitation, and hygiene projects;

(7) build the capacity of national and subnational government officials to support the transparent management of public resources, promote good governance through combating corruption and improving accountability, increase economic productivity, and increase domestic resource mobilization; and

(8) support other related economic assistance programs and activities.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) for fiscal years 2021 and 2022, $80,000,000 is authorized to be appropriated, for each such fiscal year to carry out this section.

SEC. 1286. SUPPORT FOR CONFLICT MITIGATION.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 or the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapters 4, 5, and 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq., 2346 et seq., and 2348 et seq.) to—

(1) support long-term peace and stability in Sudan by promoting national reconciliation and enabling a just, comprehensive, and sustainable peace, especially in regions that have been underdeveloped or affected by war, such as the states of Darfur, South Kordofan, Blue Nile, Red Sea, and Kassala;

(2) support civil society and other organizations working to address conflict prevention, mitigation, and resolution mechanisms and people-to-people reconciliation in Sudan, especially those addressing issues of marginalization and vulnerable groups, equal protection under the law, natural resource management, compensation and restoration of property, voluntary return, and sustainable solutions for displaced persons and refugees;

(3) strengthen civilian oversight of the Sudanese security and intelligence services and ensure that such services are not contributing to the perpetuation of conflict in Sudan and to the limitation of the civil liberties of all people in Sudan;

(4) assist in the human rights vetting and professional training of security force personnel due to be employed or deployed by the Sudanese security and intelligence services in regions that have been underdeveloped or affected by war, such as the states of Darfur, South Kordofan, Blue Nile, Red Sea, and Kassala, including members of any security forces being established pursuant to a peace agreement relating to such regions;

(5) support provisions of the Comprehensive Peace Agreement of 2005 and Abyei protocol, as appropriate, unless otherwise superseded by a new agreement signed in good faith—

(A) between stakeholders in this region and the Governments of Sudan and South Sudan to hold a free, fair, and credible referendum on the status of Abyei; and

(B) between stakeholders in this region and the Government of Sudan to support popular consultations on the status of the states of South Kordofan and Blue Nile; and

(6) support other related conflict mitigation programs and activities.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated to carry out part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq., 2346 et seq., and 2348 et seq.) for fiscal years 2021 and 2022, $20,000,000 is authorized to be appropriated for each such fiscal year to carry out this section.

SEC. 1287. SUPPORT FOR ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SUDAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should conduct robust diplomatic engagement to promote accountability and provide technical support to ensure that credible, transparent, and independent investigations of gross violations of human rights perpetrated by the Government of Sudan under former President Omar al-Bashir and the Transitional Military Council since June 30, 1989.

(b) IN GENERAL.—Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 or the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) to—

(1) build the capacity of civilian investigators within and outside of Sudan on how to document, investigate, develop findings of, identify, and locate those responsible for war crimes, crimes against humanity, or genocide in Sudan;

(2) collect, document, and protect evidence of war crimes, crimes against humanity, and genocide in Sudan and preserve the chain of custody for such evidence, including by providing support for Sudanese, foreign, and international nongovernmental organizations, and other entities engaged in such investigative activities;

(3) build Sudan's judicial capacity to support prosecutions in domestic courts and support investigations by hybrid or international courts as appropriate;

(4) protect witnesses who participate in court proceedings or other transitional justice mechanisms; and

(5) support other related conflict mitigation programs and activities.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.), for fiscal years 2021 and 2022, $10,000,000 is authorized to be appropriated for each such fiscal year to carry out this section.

SEC. 1288. SUSPENSION OF ASSISTANCE.

(a) IN GENERAL.—The President is authorized to suspend the provision of assistance authorized under section 1284, 1285, 1286, or 1287 to the Government of Sudan if the President determines that conditions in Sudan or the composition of the Government of Sudan changes such that it is no longer in the United States national interest to continue to provide such assistance.

(b) REPORT.—Not later than 30 days after making a determination under subsection (a), the President shall submit to the appropriate congressional committees a report that describes—

(1) the political and security conditions in Sudan that led to such determination; and

(2) any planned diplomatic engagement to restart the provision of such assistance.

SEC. 1289. MULTILATERAL ASSISTANCE.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) Sudan's economic challenges are a legacy of decades of kleptocracy, economic mismanagement, and war;

(2) Sudan's economic recovery will depend on—

(A) combating corruption and illicit economic activity;

(B) ending internal conflicts in the states of Darfur, South Kordofan, and Blue Nile; and

(C) promoting inclusive economic growth and development; and

(3) the COVID-19 outbreak constitutes a grave danger to Sudan's economic stability, public health, and food security and jeopardizes the transition to a civilian-led government that promotes the democratic aspirations of the Sudanese people.

(b) RESPONDING TO THE COVID-19 OUTBREAK.—During the transitional period in Sudan, and notwithstanding any other provision of law, the Secretary of the Treasury may instruct the United States Executive Director at each international financial institution to use the voice and vote of the United States to support loans or other utilization of the funds of the respective institution for Sudan for the purpose of addressing basic human needs, responding to the COVID-19 outbreak and its impact on the country's economic stability, or promoting democracy, governance, or public financial management in Sudan.

(c) DEBT RELIEF.—Upon the removal of Sudan from the State Sponsors of Terrorism List, and once the Sovereignty Council is chaired by a civilian leader, the Secretary of the Treasury and the Secretary of State should engage with international financial institutions and other bilateral official creditors to advance agreement through the Heavily Indebted Poor Countries (HIPC) Initiative to restructure, reschedule, or cancel the sovereign debt of Sudan.

(d) REPORTING REQUIREMENT.—Not later than 3 months after the date of the enactment of this Act, and not less than every 6 months thereafter during the transitional period, the Secretary of the Treasury, in consultation with the Secretary of State, shall report to the appropriate congressional committees on the extent to which the transitional government of Sudan has taken demonstrable steps to strengthen governance and improve fiscal transparency, including—

(1) establishing civilian control over the finances and assets of the Sudanese security and intelligence services;

(2) developing a transparent budget that accounts for all expenditures related to the security and intelligence services;

(3) identifying the shareholdings in all public and private companies not exclusively dedicated to the national defense held or managed by the security and intelligence services, and publicly disclosing, evaluating, and transferring all such shareholdings to the Ministry of Finance of the Government of Sudan or to any specialized entity of the Government of Sudan established under law for this purpose, which is ultimately accountable to a civilian authority;

(4) ceasing the involvement of the security and intelligence services officials, adn their immediate family members, in the illicit trade in mineral resources, including petroleum and gold;

(5) implementing a publicly transparent methodology for the Government of Sudan to recover, evaluate, hold, manage, or divest any state assets and the profits derived from the assets that may have been transferred to the National Congress Party, an affiliate of the National Congress Party, or an official of the National Congress Party in the individual capacity of such an official;

(6) identifying and monitoring the nature and purpose of offshore financial resources controlled by the security and intelligence services; and

(7) strengthening banking regulation and supervision and addressing anti-money laundering and counter-terrorism financing deficiencies.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the United States Senate.

SEC. 1290. COORDINATED SUPPORT TO RECOVER ASSETS STOLEN FROM THE SUDANESE PEOPLE.

The Secretary of State, in coordination with the Secretary of the Treasury and the Attorney General, shall seek to advance the efforts of the Government of Sudan to recover assets stolen from the Sudanese people, including with regard to international efforts to—

(1) identify and track assets taken from the people and institutions of Sudan through theft, corruption, money laundering, or other illicit means; and

(2) with respect to assets identified pursuant to paragraph (1), work with foreign governments and international organizations to—

(A) share financial investigations intelligence, as appropriate;

(B) oversee and manage the assets identified pursuant to paragraph (1);

(C) as appropriate, advance, advance civil forfeiture litigation, including providing technical assistance to help governments establish the necessary legal framework to carry out asset forfeitures; and

(D) work with the Government of Sudan to ensure that a credible mechanism is established to ensure that any recovered assets are managed in a transparent and accountable fashion and ultimately used for the benefit of the Sudanese people, provided that—

(i) returned assets are not used for partisan political purposes; and

(ii) there are robust financial management and oversight measures to safeguard repatriated assets.

SEC. 1291. LIMITATION ON ASSISTANCE TO THE SUDANESE SECURITY AND INTELLIGENCE SERVICES.

(a) IN GENERAL.—The President may not provide assistance (other than assistance authorized under section 1286) to the Sudanese security and intelligence services until the President submits to Congress a certification that the Government of Sudan has met the conditions described in subsection (c).

(b) EXCEPTION; WAIVER.—

(1) EXCEPTION.—The Secretary of State may, as appropriate and notwithstanding any other provision of law, provide assistance for the purpose of professionalizing the Sudanese security and intelligence services, through institutions such as the Africa Center for Strategic Studies and the United States Institute of Peace.

(2) WAIVER.—The President may waive the limitation on the provision of assistance under subsection (a) if, not later than 30 days before the assistance is to be provided, the

President submits to the appropriate congressional committees—

(A) a list of the activities and participants to which such waiver would apply;

(B) a justification that the waiver is in the national security interest of the United States; and

(C) a certification that the participants have met the requirements of either section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) for programs funded through Department of State appropriations or section 362 of title 10, United States Code, for programs funded through Department of Defense appropriations.

(c) CONDITIONS.—

(1) IN GENERAL.—The conditions described in this subsection are that the Sudanese security and intelligence services—

(A) have demonstrated progress in undertaking security sector reform, including reforms that professionalize such security and intelligence services, improve transparency, and reforms to the laws governing the security forces, such as of the National Security Act of 2010 and the Sudan Armed Forces Act of 2007;

(B) support efforts to respect human rights, including religious freedom, and hold accountable any members of such security and intelligence services responsible for human rights violations and abuses, including by taking demonstrable steps to cooperate with local or international mechanisms of accountability, to ensure that those responsible for war crimes, crimes against humanity, and genocide committed in Sudan are brought to justice;

(C) are under civilian oversight, subject to the rule of law, and are not undertaking actions to undermine a civilian-led transitional government or an elected civilian government;

(D) have refrained from targeted attacks against religious or ethnic minority groups, have negotiated in good faith during the peace process and constructively participated in the implementation of any resulting peace agreements, and do not impede inclusive political participation;

(E) allow unfettered humanitarian access by United Nations organizations and specialized agencies and domestic and international humanitarian organizations to civilian populations in conflict-affected areas;

(F) cooperate with the United Nations High Commissioner for Refugees and organizations affiliated with the United Nations to allow for the protection of displaced persons and the safe, voluntary, sustainable, and dignified return of refugees and internally displaced persons; and

(G) take constructive steps to investigate all reports of unlawful recruitment of children by Sudanese security forces and prosecute those found to be responsible.

(2) FORM.—The certification described in subsection (a) containing the conditions described in paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(d) SUNSET.—This section shall terminate on the date that is the earlier of—

(1) the date that is two years after the date of the enactment of this Act; or

(2) the date on which the President determines that a successful rotation of military to civilian leadership in the Sovereignty Council has occurred.

SEC. 1292. AUTHORIZATION OF IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN GOVERNMENT OF SUDAN OFFICIALS AND OTHER INDIVIDUALS.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any senior official of the Government of Sudan and any other foreign person that the President determines, on or after the date of enactment of this Act—

(1) is knowingly responsible for, complicit in, or has directly or indirectly engaged in—

(A) significant actions or policies that threaten the peace, security, or stability of Sudan, including through the use of armed groups;

(B) significant actions or policies that obstruct, undermine, delay, or impede, or pose a significant risk of obstructing, undermining, delaying, or impeding, the civil and political rights of the Sudanese people and the political transition in Sudan;

(C) corruption, including the misappropriation of state assets, the expropriation of private assets for personal gain, corruption related to government contracts or the extraction of natural resources, or bribery;

(D) serious human rights abuses that may include the targeting of civilians through the commission of acts of violence, abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or a violation of international humanitarian law; or

(E) illicit exploitation of natural resources in Sudan;

(2) is a leader of an entity that has, or whose members have, engaged in any activity described in subparagraphs (A) through (E) of paragraph (1);

(3) has materially assisted, sponsored, or provided financial, material, logistical, or technological support for, or goods or services to or in support of—

(A) any activity described in paragraph (1); or

(B) any person whose property and interests in property are blocked pursuant to Executive Order 13400 (2006); or

(4) is owned or controlled by, or has acted or purported to act for or on behalf of, any other person whose property and interests in property are blocked pursuant to—

(A) subsection (b)(1); or

(B) Executive Order 13400 (2006).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to any foreign person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President shall 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 the foreign person if such property and interests in property—

(A) are in the United States;

(B) come within the United States; or

(C) come within the possession or control of a United States person.

(2) INADMISSIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—The foreign person is—

(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.—The visa or other entry documentation of the foreign person shall be revoked, regardless of when such visa or other entry documentation is or was issued. A revocation under this subparagraph shall take effect immediately and automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

(c) EXCEPTIONS TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (b)(2) shall not apply with respect to a foreign person described in subsection (a) if admitting or paroling the foreign person into the United States is necessary 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.

(d) IMPLEMENTATION; PENALTIES.—

(1) 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 carry out this section and shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(2) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out paragraph (1) 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) WAIVER.—The President may waive the application of sanctions imposed with respect to a foreign person pursuant to subsection (a) if the President—

(1) determines that a waiver is in the national interest of the United States; and

(2) not later than the date on which such waiver will take effect, submits a notice of and justification for such waiver to the appropriate congressional committees.

(f) TERMINATION OF AUTHORITY TO IMPOSE SANCTIONS.—The authority to impose sanctions under this section shall terminate on the date that is the earlier of 3 years after the date of the enactment of this Act or the date on which the President determines and certifies to the appropriate congressional committees that the Government of Sudan—

(1) has held free, fair, and credible general elections in accordance with the 2019 constitutional charter for the transitional period and a democratically elected head of state has been sworn in and taken office;

(2) is making significant progress towards respecting the freedoms of religion, speech, press, assembly, and association as described in the 2019 constitutional charter for the transitional period and toward holding free, fair, and credible elections by the end of the transitional period;

(3) is compliant with international norms and standards concerning the transparent allocation and disbursement of government directed funds;

(4) respects the right to freedom of religion, speech, press, assembly, and association for all Sudanese citizens;

(5) has ceased attacks on civilians, including through the use of militias;

(6) has negotiated in good faith to reach formal peace agreements with armed movements that had been in conflict with the Government of Sudan; and

(7) has ceased any material support or assistance to groups associated or linked to international terrorism.

(g) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(h) EXCEPTIONS TO COMPLY WITH NATIONAL SECURITY.—The following activities shall be exempt from sanctions under this section:

(1) Activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(2) Any authorized intelligence or law enforcement activities of the United States.

(i) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1001).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) KNOWINGLY.—The term ''knowingly'' means, with respect to conduct, a circumstance, or a result, that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen, an alien lawfully admitted for permanent residence to the United States, or any other individual subject to the jurisdiction of the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such entity; or

(C) any person in the United States.

SEC. 1293. REPORTS.

(a) REPORT ON ACCOUNTABILITY FOR HUMAN RIGHTS ABUSES.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for two years, the President shall submit to the appropriate congressional committees a report that—

(1) summarizes reports of gross violations of human rights, including sexual and gender-based violence, committed against civilians in Sudan, including members of the Sudanese security and intelligence services or any associated militias, between December 2018 and the date of the submission of the report;

(2) provides an update on any potential transitional justice mechanisms in Sudan to investigate, charge, and prosecute alleged perpetrators of gross violations of human rights in Sudan since June 30, 1989, including with respect to the June 3, 2019 massacre in Khartoum;

(3) provides an analysis of whether the gross violations of human rights summarized pursuant to paragraph (1) amount to war crimes, crimes against humanity, or genocide; and

(4) identifies specific cases since the beginning of the transitional period in which members of the Sudanese security and intelligence services have been charged and prosecuted for actions that constitute gross violations of human rights perpetrated since June 30, 1989.

(b) REPORT ON CERTAIN ACTIVITIES AND FINANCES OF SENIOR OFFICIALS OF THE GOVERNMENT OF SUDAN.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for one year, the President shall submit to the appropriate congressional committees a report that—

(1) describes the actions and involvement of any previous or current senior officials of the Government of Sudan since the establishment of the transitional government in August 2019 in—

(A) directing, carrying out, or overseeing gross violations of human rights;

(B) directing, carrying out, or overseeing the unlawful use or recruitment of children by armed groups or armed forces in the context of conflicts in Sudan, Libya, Yemen, or other countries;

(C) directing, carrying out, or colluding in significant acts of corruption;

(D) directing, carrying out, or overseeing any efforts to circumvent the establishment of civilian control over the finances and assets of the Sudanese security and intelligence services; or

(E) facilitating, supporting, or financing terrorist activity in Sudan or other countries;

(2) identifies Sudanese and foreign financial institutions, including offshore financial institutions, in which senior officials of the Government of Sudan whose actions are described in paragraph (1) hold significant assets, and provides an estimate of the value of such assets;

(3) identifies any information United States Government agencies have obtained since August 2019 regarding persons, foreign governments, and Sudanese or foreign financial institutions that knowingly facilitate, finance, or otherwise benefit from corruption or illicit economic activity in Sudan, including the export of mineral resources, and, in particular, if that trade is violating any United States restrictions that remain in place by legislation or executive order;

(4) identifies any information United States Government agencies have obtained since August 2019 regarding senior officials of the Government of Sudan who are personally involved in the illicit trade in mineral resources, including petroleum and gold; and

(5) identifies any information United States Government agencies have obtained since August 2019 regarding individuals or foreign governments that have provided funds to individual members of the Sovereignty Council or the Cabinet outside of the Central Bank of Sudan or the Ministry of Finance.

(c) REPORT ON SANCTIONS PURSUANT TO EXECUTIVE ORDER 13400.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report containing the names of senior Sudanese government officials that President determines meet the criteria to be sanctionable pursuant to Executive Order 13400 (71 Fed. Reg. 25483; relating to blocking property of persons in connection with the conflict in Sudan's Darfur region).

(d) FORM.—The reports required under subsections (b) and (c) shall be submitted in unclassified form but may include a classified annex.

SEC. 1294. UNITED STATES STRATEGY FOR SUPPORT TO A CIVILIAN-LED GOVERNMENT IN SUDAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of the Treasury, shall submit to the appropriate congressional committees a strategy that includes—

(1) a clear articulation of specific United States goals and objectives with respect to a successful completion of the transitional period and a plan to achieve such goals and objectives;

(2) a description of assistance and diplomatic engagement to support a civilian-led government in Sudan for the remainder of the transitional period, including any possible support for the organization of free, fair, and credible elections;

(3) an assessment of the legal and policy reforms that have been and need to be taken by the government in Sudan during the transitional period in order to promote—

(A) human rights;

(B) freedom of religion, speech, press, assembly, and association; and

(C) accountability for human rights abuses, including for sexual and gender-based violence perpetrated by members of the Sudanese security and intelligence services;

(4) a description of efforts to address the legal and policy reforms mentioned in paragraph (3);

(5) a description of humanitarian and development assistance to Sudan and a plan for coordinating such assistance with international donors, regional partners, and local partners;

(6) a description of monitoring and evaluation plans for all forms of assistance to be provided under the strategy in accordance with the monitoring and evaluation requirements of section 4 of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191), to include a detailed description of all associated goals and benchmarks for measuring impact; and

(7) an assessment of security sector reforms undertaken by the Government of Sudan, including efforts to demobilize or integrate militias and to foster civilian control of the armed services.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the efforts taken to implement this subtitle; and

(2) recommendations for legislative or administrative measures to facilitate the implementation of this subtitle.

SEC. 1295. AMENDMENTS TO THE DARFUR PEACE AND ACCOUNTABILITY ACT OF 2006.

Section 8(c)(1) of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344; 50 U.S.C. 1701 note) is amended by striking ''Southern Sudan,'' and all that following through ''Khartoum,'' and inserting ''Sudan''.

SEC. 1296. REPEAL OF SUDAN PEACE ACT AND THE COMPREHENSIVE PEACE IN SUDAN ACT.

(a) SUDAN PEACE ACT.—Effective January 1, 2020, the Sudan Peace Act (Public Law 107–245; 50 U.S.C. 1701 note) is repealed.

(b) COMPREHENSIVE PEACE IN SUDAN ACT.—Effective January 1, 2020, the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 50 U.S.C. note) is repealed.

AMENDMENT NO. 127 OFFERED BY MR. ENGEL OF NEW YORK

Add at the end of the bill the following:

DIVISION E—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Department of State Authorization Act of 2020''.

TITLE I—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DEPARTMENT OF STATE'S WORK.

It is the sense of Congress that—

(1) United States global engagement is key to a stable and prosperous world;

(2) United States leadership is indispensable in light of the many complex and interconnected threats facing the United States and the world;

(3) diplomacy and development are critical tools of national power, and full deployment

of these tools is vital to United States national security;

(4) challenges such as the global refugee and migration crises, terrorism, historic famine and food insecurity, and fragile or repressive societies cannot be addressed without sustained and robust United States diplomatic and development leadership;

(5) the United States Government must use all of the instruments of national security and foreign policy at its disposal to protect United States citizens, promote United States interests and values, and support global stability and prosperity;

(6) United States security and prosperity depend on having partners and allies that share our interests and values, and these partnerships are nurtured and our shared interests and values are promoted through United States diplomatic engagement, security cooperation, economic statecraft, and assistance that helps further economic development, good governance, including the rule of law and democratic institutions, and the development of shared responses to natural and humanitarian disasters;

(7) as the United States Government agencies primarily charged with conducting diplomacy and development, the Department and the United States Agency for International Development (USAID) require sustained and robust funding to carry out this important work, which is essential to our ability to project United States leadership and values and to advance the United States interests around the world;

(8) the work of the Department and USAID makes the United States and the world safer and more prosperous by alleviating global poverty and hunger, fighting HIV/AIDS and other infectious diseases, strengthening alliances, expanding educational opportunities for women and girls, promoting good governance and democracy, supporting anti-corruption efforts, driving economic development and trade, preventing armed conflicts and humanitarian crises, and creating American jobs and export opportunities;

(9) the Department and USAID are vital national security agencies, whose work is critical to the projection of United States power and leadership worldwide, and without which Americans would be less safe, our economic power would be diminished, and global stability and prosperity would suffer;

(10) investing in diplomacy and development before conflicts break out saves American lives while also being cost-effective; and

(11) the contributions of personnel working at the Department and USAID are extraordinarily valuable and allow the United States to maintain its leadership around the world.

SEC. 5102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

Paragraph (2) of section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) in subparagraph (A), by adding at the end the following new sentence: ''All special envoys, ambassadors, and coordinators located within the Bureau of Democracy, Human Rights, and Labor shall report directly to the Assistant Secretary.'';

(2) in subparagraph (B)(ii)—

(A) by striking ''section'' and inserting ''sections 116 and''; and

(B) by inserting before the period at the end the following: ''(commonly referred to as the annual 'Country Reports on Human Rights Practices')''; and

(3) by adding at the end the following new subparagraphs:

''(C) AUTHORITIES.—In addition to the duties, functions, and responsibilities specified in this paragraph, the Assistant Secretary of State for Democracy, Human Rights, and Labor is authorized to—

''(i) promote democracy and actively support human rights throughout the world;

''(ii) promote the rule of law and good governance throughout the world;

''(iii) strengthen, empower, and protect civil society representatives, programs, and organizations, and facilitate their ability to engage in dialogue with governments and other civil society entities;

''(iv) work with regional bureaus to ensure adequate personnel at diplomatic posts are assigned responsibilities relating to advancing democracy, human rights, labor rights, women's equal participation in society, and the rule of law, with particular attention paid to adequate oversight and engagement on such issues by senior officials at such posts;

''(v) review and, as appropriate, make recommendations to the Secretary of State regarding the proposed transfer of—

''(I) defense articles and defense services authorized under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Arms Export Control Act (22 U.S.C. 2751 et seq.); and

''(II) military items listed on the '600 series' of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations;

''(vi) coordinate programs and activities that protect and advance the exercise of human rights and internet freedom in cyberspace; and

''(vii) implement other relevant policies and provisions of law.

''(D) EFFICIENCY.—The Assistant Secretary for Democracy, Human Rights, and Labor shall take whatever actions may be necessary to minimize the duplication of efforts within the Bureau of Democracy, Human Rights, and Labor.

''(E) LOCAL OVERSIGHT.—United States missions, to the extent practicable, should assist in exercising oversight authority and coordinate with the Bureau of Democracy, Human Rights, and Labor to ensure that funds are appropriately used and comply with anti-corruption practices.''.

SEC. 5103. ASSISTANT SECRETARY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS.

(a) IN GENERAL.—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) ASSISTANT SECRETARY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS.—

''(A) IN GENERAL.—There is authorized to be in the Department of State an Assistant Secretary for International Narcotics and Law Enforcement Affairs, who shall be responsible to the Secretary of State for all matters, programs, and related activities pertaining to international narcotics, anti-crime, and law enforcement affairs in the conduct of foreign policy by the Department, including, as appropriate, leading the coordination of programs carried out by United States Government agencies abroad, and such other related duties as the Secretary may from time to time designate.

''(B) AREAS OF RESPONSIBILITY.—The Assistant Secretary for International Narcotics and Law Enforcement Affairs shall maintain continuous observation and coordination of all matters pertaining to international narcotics, anti-crime, and law enforcement affairs in the conduct of foreign policy, including programs carried out by other United States Government agencies when such programs pertain to the following matters:

''(i) Combating international narcotics production and trafficking.

''(ii) Strengthening foreign justice systems, including judicial and prosecutorial capacity, appeals systems, law enforcement agencies, prison systems, and the sharing of recovered assets.

''(iii) Training and equipping foreign police, border control, other government officials, and other civilian law enforcement authorities for anti-crime purposes, including ensuring that no foreign security unit or member of such unit shall receive such assistance from the United States Government absent appropriate vetting.

''(iv) Ensuring the inclusion of human rights and women's participation issues in law enforcement programs, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, and other senior officials in regional and thematic bureaus and offices.

''(v) Combating, in conjunction with other relevant bureaus of the Department, all forms of transnational organized crime, including illicit trafficking in human beings, arms, wildlife, and cultural property, migrant smuggling, corruption, money laundering, the illicit smuggling of bulk cash, the licit use of financial systems for malign purposes, and other new and emerging forms of crime.

''(vi) Identifying and responding to global corruption, including strengthening the capacity of foreign government institutions responsible for addressing financial crimes and engaging with multilateral organizations responsible for monitoring and supporting foreign governments' anti-corruption efforts.

''(C) ADDITIONAL DUTIES.—In addition to the responsibilities specified in subparagraph (B), the Assistant Secretary for International Narcotics and Law Enforcement Affairs shall also—

''(i) carry out timely and substantive consultation with chiefs of mission and, as appropriate, the heads of other United States Government agencies to ensure effective coordination of all international narcotics and law enforcement programs carried out overseas by the Department and such other agencies;

''(ii) coordinate with the Office of National Drug Control Policy to ensure lessons learned from other United States Government agencies are available to the Bureau of International Narcotics and Law Enforcement Affairs of the Department;

''(iii) develop standard requirements for monitoring and evaluation of Bureau programs, including metrics for success that do not rely solely on the amounts of illegal drugs that are produced or seized;

''(iv) in coordination with the Secretary of State, annually certify in writing to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that United States law enforcement personnel posted abroad whose activities are funded to any extent by the Bureau of International Narcotics and Law Enforcement Affairs are complying with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927); and

''(v) carry out such other relevant duties as the Secretary may assign.''.

(b) MODIFICATION OF ANNUAL INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Subsection (a) of section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h) is amended by inserting after paragraph (8) the following new paragraph:

''(9) A separate section that contains an identification of all United States Government-supported units funded by the Bureau of International Narcotics and Law Enforcement Affairs and any Bureau-funded operations by such units in which United States law enforcement personnel have been physically present.''.

SEC. 5104. BUREAU OF CONSULAR AFFAIRS; BUREAU OF POPULATION, REFUGEES, AND MIGRATION.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the following new subsections:

''(g) BUREAU OF CONSULAR AFFAIRS.—There is in the Department of State the Bureau of Consular Affairs, which shall be headed by the Assistant Secretary of State for Consular Affairs.

''(h) BUREAU OF POPULATION, REFUGEES, AND MIGRATION.—There is in the Department of State the Bureau of Population, Refugees, and Migration, which shall be headed by the Assistant Secretary of State for Population, Refugees, and Migration.''.

SEC. 5105. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.

(a) ESTABLISHMENT.—There should be established in the Department an Office of International Disability Rights (referred to in this section as the ''Office'').

(b) DUTIES.—The Office should—

(1) seek to ensure that all United States foreign operations are accessible to, and inclusive of, persons with disabilities;

(2) promote the human rights and full participation in international development activities of all persons with disabilities;

(3) promote disability inclusive practices and the training of Department staff on soliciting quality programs that are fully inclusive of people with disabilities;

(4) represent the United States in diplomatic and multilateral fora on matters relevant to the rights of persons with disabilities, and work to raise the profile of disability across a broader range of organizations contributing to international development efforts;

(5) conduct regular consultation with civil society organizations working to advance international disability rights and empower persons with disabilities internationally;

(6) consult with other relevant offices at the Department that are responsible for drafting annual reports documenting progress on human rights, including, wherever applicable, references to instances of discrimination, prejudice, or abuses of persons with disabilities; and

(7) advise the Bureau of Human Resources Development of the Department regarding the hiring and recruitment and overseas practices of civil service employees and Foreign Service officers with disabilities and their family members with chronic medical conditions or disabilities.

(c) SUPERVISION.—The Office may be headed by—

(1) a senior advisor to the appropriate Assistant Secretary; or

(2) an officer exercising significant authority who reports to the President or Secretary, appointed by and with the advice and consent of the Senate.

(d) CONSULTATION.—The Secretary should direct Ambassadors at Large, Representatives, Special Envoys, and coordinators working on human rights to consult with the Office to promote the human rights and full participation in international development activities of all persons with disabilities.

SEC. 5106. OFFICE OF GLOBAL WOMEN'S ISSUES.

(a) IN GENERAL.—There should be established an Office of Global Women's Issues (referred to in this section as the ''Office''), which may be placed within the organizational structure of the Department at the discretion of the Secretary.

(b) PURPOSE.—The Office should coordinate efforts of the United States Government, as directed by the Secretary, regarding gender equality and advancing the status of women and girls in United States foreign policy.

(c) DUTIES.—The Office should—

(1) serve as the principal advisor to the Secretary regarding gender equality, women's and girls' empowerment, and violence against women and girls as a priority of United States foreign policy;

(2) represent the United States in diplomatic and multilateral fora on matters relevant to the status of women and girls;

(3) advise the Secretary and provide input on all activities, policies, programs, and funding relating to gender equality and the advancement of women and girls internationally for all bureaus and offices of the Department and in the international programs of all other Federal agencies;

(4) work to ensure that efforts to advance gender equality and women's and girls' empowerment are fully integrated into the programs, structures, processes, and capacities of all bureaus and offices of the Department and in the international programs of other Federal agencies; and

(5) conduct regular consultation with civil society organizations working to advance gender equality and empower women and girls internationally.

(d) SUPERVISION.—The Office should be headed by an Ambassador-at-large for Global Women's Issues.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate congressional committees a report or briefing regarding this section.

SEC. 5107. SPECIAL APPOINTMENTS.

(a) REPORT ON POSITIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of the duties, responsibilities, and number of staff of each existing Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Envoy, Representative, Coordinator, Special Advisor, and other similar position at the Department.

(2) Recommendations regarding whether to maintain in the Department each such position, including those listed in the report submitted by the Secretary to the Committee on Foreign Relations of the Senate on April 14, 2017, pursuant to section 418 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), that are not expressly authorized by a provision of law enacted by Congress.

(3) Justifications supporting each of the Secretary's recommendations under paragraph (2).

(b) ADVICE AND CONSENT.—Not later than 90 days after the submission of the report required under subsection (a), the President shall submit the name of each Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Envoy, Representative, Coordinator, Special Advisor, or other person occupying a similar position at the Department exercising significant authority pursuant to the laws of the United States that is not expressly authorized by a provision of law enacted by Congress who is included in such report to the Committee on Foreign Relations of the Senate to seek the advice and consent of the Senate.

(c) RULE OF CONSTRUCTION REGARDING ESTABLISHMENT OF POSITIONS.—Nothing in this section may be construed as prohibiting the establishment or maintenance of any Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Envoy, Representative, Coordinator, Special Advisor, or other similar position at the Department exercising significant authority pursuant to the laws of the United States if the name of the appointee for each such position is submitted to the Committee on Foreign Relations of the Senate, to seek the advice and consent of the Senate, not later than 90 days after each such appointment.

(d) LIMITED EXCEPTION FOR TEMPORARY APPOINTMENTS.—The Secretary may maintain or establish a position with the title of Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Special Advisor, or a similar position not exercising significant authority pursuant to the laws of the United States for not longer than 180 days if the Secretary, not later than 15 days before the appointment of a person to such a position, submits to the appropriate congressional committees a notification that includes the following:

(1) A certification that the position is not expected to demand the exercise of significant authority pursuant to the laws of the United States.

(2) A description of the duties and purpose of the position.

(3) The rationale for giving the specific title to the position.

(e) RENEWAL OF TEMPORARY APPOINTMENT.—Nothing in this section may be construed as prohibiting the Secretary from renewing for a period not to exceed 180 days any position maintained or established under subsection (d) if the Secretary complies with the notification requirements contained in such subsection.

(f) FUNDING RESTRICTIONS.—

(1) POSITIONS NOT SUBMITTED FOR ADVICE AND CONSENT.—No funds may be authorized to be appropriated for—

(A) any Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Envoy, Representative, Coordinator, Special Advisor, or other similar position at the Department exercising significant authority pursuant to the laws of the United States if the name of the person appointed to such position has not been submitted to the Committee on Foreign Relations of the Senate for the advice and consent of the Senate in accordance with subsection (b); or

(B) any staff or resources related to such a position until the person appointed to such position has been submitted to the Committee on Foreign Relations of the Senate for the advice and consent of the Senate.

(2) TEMPORARY POSITIONS.—No funds may be authorized to be appropriated for any position described in subsection (d) or for any staff or resources related to such position unless the Secretary has complied with the notification requirements under such subsection.

(3) FISCAL YEAR 2021.—The restrictions described in this subsection shall not apply in fiscal year 2021 to positions or associated staff and resources for which funding is expressly appropriated for such fiscal year in an Act of Congress.

(g) CONFIRMATION FOR AUTHORIZED POSITIONS.—

(1) IN GENERAL.—No Special Envoy, Special Representative, Special Coordinator, Special Negotiator, Envoy, Representative, Coordinator, Special Advisor, or other similar position at the Department exercising significant authority pursuant to the laws of the United States that is authorized by an Act of Congress (except the position authorized by section 621 of the Tibetan Policy Act of 2002 (subtitle B of title VI of Public Law 107–228; 22 U.S.C. 6901 note)) may be appointed without the advice and consent of the Senate.

(2) FISCAL YEAR 2021.—The restriction described in paragraph (1) shall not apply in fiscal year 2021 to positions or associated staff and resources for which funding is expressly appropriated for such fiscal year in an Act of Congress.

(h) ELIMINATION OF SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.—

(1) FINDINGS.—Congress finds the following:

(A) Congress established the Special Representative and Policy Coordinator for Burma in July 2008 at a time when the United States did not maintain full diplomatic relations with Burma and had not appointed an Ambassador to Burma in 18 years.

(B) In 2012, the United States re-established full diplomatic relations with Burma and appointed a United States Ambassador to Burma who, along with the Secretary of State, Assistant Secretary of State for East Asia and the Pacific, and other United States Government officials, represents the United States' interests in Burma.

(2) REPEAL.—Section 7 of the Tom Lantos Block Burmese Jade (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286; 50 U.S.C. 1701 note; relating to the establishment of a Special Representative and Policy Coordinator for Burma) is hereby repealed.

SEC. 5108. ANTI-PIRACY INFORMATION SHARING.

The Secretary is authorized to provide for the participation by the United States in the Information Sharing Centre located in Singapore, as established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

SEC. 5109. IMPORTANCE OF FOREIGN AFFAIRS TRAINING TO NATIONAL SECURITY.

It is the sense of Congress that—

(1) the Department is a crucial national security agency, whose employees, both Foreign and Civil Service, require the best possible training at every stage of their careers to prepare them to promote and defend United States national interests and the health and safety of United States citizens abroad;

(2) the Secretary should explore establishing a ''training float'' requiring that a certain percentage of the Foreign Service shall be in long-term training at any given time;

(3) the Department's Foreign Service Institute should seek to substantially increase its educational and training offerings to Department personnel, including developing new and innovative educational and training courses, methods, programs, and opportunities; and

(4) consistent with existing Department gift acceptance authority and other applicable laws, the Department and Foreign Service Institute should seek and accept funds and other resources from foundations, not-for-profit corporations, and other appropriate sources to help the Department and the Institute accomplish the goals specified in paragraph (3).

SEC. 5110. CLASSIFICATION AND ASSIGNMENT OF FOREIGN SERVICE OFFICERS.

The Foreign Service Act of 1980 is amended—

(1) in section 501 (22 U.S.C. 3981), by inserting ''If a position designated under this section is unfilled for more than 365 calendar days, such position may be filled, as appropriate, on a temporary basis, in accordance with section 309.'' after ''Positions designated under this section are excepted from the competitive service.''; and

(2) in paragraph (2) of section 502(a) (22 U.S.C. 3982(a)), by inserting '', or domestically, in a position working on issues relating to a particular country or geographic area,'' after ''geographic area''.

SEC. 5111. ENERGY DIPLOMACY AND SECURITY WITHIN THE DEPARTMENT OF STATE.

(a) IN GENERAL.—Subsection (c) of section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by section 5103 of this Act, is further amended—

(1) by redesignating paragraph (4) (as redesignated pursuant to such section 5103) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) ENERGY RESOURCES.—

''(A) AUTHORIZATION FOR ASSISTANT SECRETARY.—Subject to the numerical limitation specified in paragraph (1), there is authorized to be established in the Department of State an Assistant Secretary of State for Energy Resources.

''(B) PERSONNEL.—The Secretary of State shall ensure that there are sufficient personnel dedicated to energy matters within the Department of State whose responsibilities shall include—

''(i) formulating and implementing international policies aimed at protecting and advancing United States energy security interests by effectively managing United States bilateral and multilateral relations;

''(ii) ensuring that analyses of the national security implications of global energy and environmental developments are reflected in the decision making process within the Department;

''(iii) incorporating energy security priorities into the activities of the Department;

''(iv) coordinating energy activities of the Department with relevant Federal departments and agencies; and

''(v) working internationally to—

''(I) support the development of energy resources and the distribution of such resources for the benefit of the United States and United States allies and trading partners for their energy security and economic development needs;

''(II) promote availability of diversified energy supplies and a well-functioning global market for energy resources, technologies, and expertise for the benefit of the United States and United States allies and trading partners;

''(III) resolve international disputes regarding the exploration, development, production, or distribution of energy resources;

''(IV) support the economic and commercial interests of United States persons operating in the energy markets of foreign countries;

''(V) support and coordinate international efforts to alleviate energy poverty;

''(VI) leading the United States commitment to the Extractive Industries Transparency Initiative;

''(VII) coordinating within the Department and with relevant Federal departments and agencies on developing and implementing international energy-related sanctions; and

''(VIII) coordinating energy security and other relevant functions within the Department currently undertaken by—

''(aa) the Bureau of Economic and Business Affairs;

''(bb) the Bureau of Oceans and International Environmental and Scientific Affairs; and

''(cc) other offices within the Department of State.''.

(b) CONFORMING AMENDMENT.—Section 931 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17371) is amended—

(1) by striking subsections (a) and (b); and

(2) by redesignating subsections (c) and (d) as subsections (a) and (b), respectively.

SEC. 5112. THE NATIONAL MUSEUM OF AMERICAN DIPLOMACY.

Title I of the State Department Basic Authorities Act of 1956 is amended by adding after section 63 (22 U.S.C. 2735) the following new section:

''SEC. 64. THE NATIONAL MUSEUM OF AMERICAN DIPLOMACY.

''(a) ACTIVITIES.—

''(1) SUPPORT AUTHORIZED.—The Secretary of State is authorized to provide, by contract, grant, or otherwise, for the performance of appropriate museum visitor and educational outreach services and related events, including organizing programs and conference activities, museum shop services and food services in the public exhibition and related space utilized by the National Museum of American Diplomacy.

''(2) RECOVERY OF COSTS.—The Secretary of State is authorized to recover any revenues generated under the authority of paragraph (1) for visitor and outreach services and related events referred to in such paragraph, including fees for use of facilities at the National Museum for American Diplomacy. Any such revenues may be retained as a recovery of the costs of operating the museum.

''(b) DISPOSITION OF NATIONAL MUSEUM OF AMERICAN DIPLOMACY DOCUMENTS, ARTIFACTS, AND OTHER ARTICLES.—

''(1) PROPERTY.—All historic documents, artifacts, or other articles permanently acquired by the Department of State and determined by the Secretary of State to be suitable for display by the National Museum of American Diplomacy shall be considered to be the property of the United States Government and shall be subject to disposition solely in accordance with this subsection.

''(2) SALE, TRADE, OR TRANSFER.—Whenever the Secretary of State makes the determination described in paragraph (3) with respect to a document, artifact, or other article under paragraph (1), the Secretary may sell at fair market value, trade, or transfer such document, artifact, or other article without regard to the requirements of subtitle I of title 40, United States Code. The proceeds of any such sale may be used solely for the advancement of the mission of the National Museum of American Diplomacy and may not be used for any purpose other than the acquisition and direct care of the collections of the museum.

''(3) DETERMINATIONS PRIOR TO SALE, TRADE, OR TRANSFER.—The determination described in this paragraph with respect to a document, artifact, or other article under paragraph (1), is a determination that—

''(A) such document, artifact, or other article no longer serves to further the purposes of the National Museum of American Diplomacy as set forth in the collections management policy of the museum;

''(B) the sale, trade, or transfer of such document, artifact, or other article would serve to maintain the standards of the collection of the museum; or

''(C) sale, trade, or transfer of such document, artifact, or other article would be in the best interests of the United States.

''(4) LOANS.—In addition to the authorization under paragraph (2) relating to the sale, trade, or transfer of documents, artifacts, or other articles under paragraph (1), the Secretary of State may loan such documents, artifacts, or other articles, when not needed for use or display by the National Museum of American Diplomacy to the Smithsonian Institution or a similar institution for repair, study, or exhibition.''.

SEC. 5113. EXTENSION OF PERIOD FOR REIMBURSEMENT OF FISHERMEN FOR COSTS INCURRED FROM THE ILLEGAL SEIZURE AND DETENTION OF U.S.-FLAG FISHING VESSELS BY FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Subsection (e) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977) is amended to read as follows:

''(e) AMOUNTS.—Payments may be made under this section only to such extent and in such amounts as are provided in advance in appropriation Acts.''.

(b) RETROACTIVE APPLICABILITY.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and

apply as if the date specified in subsection (e) of section 7 of the Fishermen's Protective Act of 1967, as in effect on the day before the date of the enactment of this Act, were the day after such date of enactment.

(2) AGREEMENTS AND PAYMENTS.—The Secretary shall—

(A) enter into agreements pursuant to section 7 of the Fishermen's Protective Act of 1967 for any claims to which such section would otherwise apply but for the date specified in subsection (e) of such section, as in effect on the day before the date of the enactment of this Act; and

(B) make payments in accordance with agreements entered into pursuant to such section if any such payments have not been made as a result of the expiration of the date specified in such section, as in effect on the day before the date of the enactment of this Act.

SEC. 5114. ART IN EMBASSIES.

(a) IN GENERAL.—No funds are authorized to be appropriated for the purchase of any piece of art for the purposes of installation or display in any embassy, consulate, or other foreign mission of the United States if the purchase price of such piece of art is in excess of $50,000, unless such purchase is subject to prior consultation with, and the regular notification procedures of, the appropriate congressional committees.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the costs of the Art in Embassies Program for each of fiscal years 2012, 2013, and 2014.

(c) SUNSET.—This section shall terminate on the date that is 2 years after the date of the enactment of this Act.

(d) DEFINITION.—In this section, the term ''art'' includes paintings, sculptures, photographs, industrial design, and craft art.

SEC. 5115. AMENDMENT OR REPEAL OF REPORTING REQUIREMENTS.

(a) BURMA.—

(1) IN GENERAL.—Section 570 of Public Law 104–208 is amended—

(A) by amending subsection (c) to read as follows:

''(c) MULTILATERAL STRATEGY.—The President shall develop, in coordination with members of ASEAN and other likeminded countries, a comprehensive, multilateral strategy to bring about further democratic consolidation in Burma and improve human rights practices and the quality of life in Burma, including the development of a dialogue leading to genuine national reconciliation.''; and

(B) in subsection (d)—

(i) in the matter preceding paragraph (1), by striking ''six months'' and inserting ''year'';

(ii) by redesignating paragraph (3) as paragraph (7); and

(iii) by inserting after paragraph (2) the following new paragraphs:

''(3) improvements in human rights practices;

''(4) progress toward broad-based and inclusive economic growth;

''(5) progress toward genuine national reconciliation;

''(6) progress on improving the quality of life of the Burmese people, including progress relating to market reforms, living standards, labor standards, use of forced labor in the tourism industry, and environmental quality; and''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and apply with respect to the first report required under subsection (d) of section 570 of Public Law 104–208 that is required after the date of the enactment of this Act.

(b) REPEALS.—The following provisions of law are hereby repealed:

(1) Subsection (b) of section 804 of Public Law 101–246.

(2) Section 6 of Public Law 104–45.

(3) Section 406 of Public Law 101–246 (22 U.S.C. 2414a).

(4) Subsection (c) of section 702 of Public Law 96–465 (22 U.S.C. 4022).

SEC. 5116. REPORTING ON IMPLEMENTATION OF GAO RECOMMENDATIONS.

(a) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that lists all of the Government Accountability Office's recommendations relating to the Department that have not been fully implemented.

(b) COMPTROLLER GENERAL REPORT.—Not later than 30 days after the Secretary submits the report under subsection (a), the Comptroller General of the United States shall submit to the appropriate congressional committees a report that identifies any discrepancies between the list of recommendations included in such report and the Government Accountability Office's list of outstanding recommendations for the Department.

(c) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the submission of the Comptroller General's report under subsection (b), the Secretary shall submit to the appropriate congressional committees a report that describes the implementation status of each recommendation from the Government Accountability Office included in the report submitted under subsection (a).

(2) JUSTIFICATION.—The report under paragraph (1) shall include—

(A) a detailed justification for each decision not to fully implement a recommendation or to implement a recommendation in a different manner than specified by the Government Accountability Office;

(B) a timeline for the full implementation of any recommendation the Secretary has decided to adopt, but has not yet fully implemented; and

(C) an explanation for any discrepancies included in the Comptroller General report submitted under subsection (b).

(d) FORM.—The information required in each report under this section shall be submitted in unclassified form, to the maximum extent practicable, but may be included in a classified annex to the extent necessary.

SEC. 5117. OFFICE OF GLOBAL CRIMINAL JUSTICE.

(a) IN GENERAL.—There should be established within the Department an Office of Global Criminal Justice (referred to in this section as the ''Office''), which may be placed within the organizational structure of the Department at the discretion of the Secretary.

(b) DUTIES.—The Office should carry out the following:

(1) Advise the Secretary and other relevant senior officials on issues related to war crimes, crimes against humanity, and genocide.

(2) Assist in formulating United States policy on the prevention of, responses to, and accountability for mass atrocities.

(3) Coordinate United States Government positions relating to the international and hybrid courts currently prosecuting persons responsible for genocide, war crimes, and crimes against humanity anywhere in the world.

(4) Work with other governments, international organizations, and nongovernmental organizations, as appropriate, to establish and assist international and domestic commissions of inquiry, fact-finding missions, and tribunals to investigate, document, and prosecute atrocities in every region of the globe.

(5) Coordinate the deployment of diplomatic, legal, economic, military, and other tools to help expose the truth, judge those responsible, protect and assist victims, enable reconciliation, deter atrocities, and build the rule of law.

(6) Provide advice and expertise on transitional justice to United States personnel operating in conflict and post-conflict environments.

(7) Act as a point of contact for international, hybrid, and mixed tribunals exercising jurisdiction over war crimes, crimes against humanity, and genocide committed around the world.

(8) Represent the Department on any interagency whole-of-government coordinating entities addressing genocide and other mass atrocities.

(9) Perform any additional duties and exercise such powers as the Secretary of State may prescribe.

(c) SUPERVISION.—The Office should be led by an Ambassador-at-Large for Global Criminal Justice.

TITLE II—EMBASSY CONSTRUCTION

SEC. 5201. EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE.

For ''Embassy Security, Construction, and Maintenance'', there is authorized to be appropriated $1,975,449,000 for fiscal year 2021.

SEC. 5202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department's Bureau of Overseas Building Operations (OBO) or successor office should give appropriate consideration to standardization in construction, in which each new United States embassy and consulate starts with a standard design and keeps customization to a minimum.

(b) CONSULTATION.—The Secretary shall carry out any new United States embassy compound or new consulate compound project that utilizes a non-standard design, including those projects that are in the design or pre-design phase as of the date of the enactment of this Act, only in consultation with the appropriate congressional committees. The Secretary shall provide the appropriate congressional committees, for each such project, the following documentation:

(1) A comparison of the estimated full lifecycle costs of the project to the estimated full lifecycle costs of such project if it were to use a standard design.

(2) A comparison of the estimated completion date of such project to the estimated completion date of such project if it were to use a standard design.

(3) A comparison of the security of the completed project to the security of such completed project if it were to use a standard design.

(4) A justification for the Secretary's selection of a non-standard design over a standard design for such project.

(5) A written explanation if any of the documentation necessary to support the comparisons and justification, as the case may be, described in paragraphs (1) through (4) cannot be provided.

(c) SUNSET.—The consultation requirement under subsection (b) shall expire on the date that is 4 years after the date of the enactment of this Act.

SEC. 5203. CAPITAL CONSTRUCTION TRANSPARENCY.

(a) IN GENERAL.—Section 118 of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 304) is amended—

(1) in the section heading , by striking ''**ANNUAL REPORT ON EMBASSY CONSTRUCTION**

COSTS'' and inserting ''**BIANNUAL REPORT ON OVERSEAS CAPITAL CONSTRUCTION PROJECTS**''; and

(2) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection and every 180 days thereafter until the date that is 4 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a comprehensive report regarding all ongoing overseas capital construction projects and major embassy security upgrade projects.

''(b) CONTENTS.—Each report required under subsection (a) shall include the following with respect to each ongoing overseas capital construction project and major embassy security upgrade project:

''(1) The initial cost estimate as specified in the proposed allocation of capital construction and maintenance funds required by the Committees on Appropriations for Acts making appropriations for the Department of State, foreign operations, and related programs.

''(2) The current cost estimate.

''(3) The value of each request for equitable adjustment received by the Department to date.

''(4) The value of each certified claim received by the Department to date.

''(5) The value of any usage of the project's contingency fund to date and the value of the remainder of the project's contingency fund.

''(6) An enumerated list of each request for adjustment and certified claim that remains outstanding or unresolved.

''(7) An enumerated list of each request for equitable adjustment and certified claim that has been fully adjudicated or that the Department has settled, and the final dollar amount of each adjudication or settlement.

''(8) The date of estimated completion specified in the proposed allocation of capital construction and maintenance funds required by the Committees on Appropriations not later than 45 days after the date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs.

''(9) The current date of estimated completion.''.

(b) INITIAL REPORT.—The first report required under subsection (a) of section 118 of the Department of State Authorities Act, Fiscal Year 2017 (as amended by this section) shall include an annex regarding all overseas capital construction projects and major embassy security upgrade projects completed during the 10-year period ending on December 31, 2018, including, for each such project, the elements specified in subsection (b) of such section 118.

SEC. 5204. CONTRACTOR PERFORMANCE INFORMATION.

(a) DEADLINE FOR COMPLETION.—The Secretary shall complete all contractor performance evaluations required by subpart 42.15 of the Federal Acquisition Regulation for those contractors engaged in construction of new embassy or new consulate compounds by October 1, 2021.

(b) PRIORITIZATION SYSTEM.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall develop a prioritization system for clearing the current backlog of required evaluations referred to in subsection (a).

(2) ELEMENTS.—The system required under paragraph (1) should prioritize the evaluations as follows:

(A) Project completion evaluations should be prioritized over annual evaluations.

(B) Evaluations for relatively large contracts should have priority.

(C) Evaluations that would be particularly informative for the awarding of government contracts should have priority.

(c) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on the Department's plan for completing all evaluations by October 1, 2021, in accordance with subsection (a) and the prioritization system developed pursuant to subsection (b).

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) contractors deciding whether to bid on Department contracts would benefit from greater understanding of the Department as a client; and

(2) the Department should develop a forum where contractors can comment on the Department's project management performance.

SEC. 5205. GROWTH PROJECTIONS FOR NEW EMBASSIES AND CONSULATES.

(a) IN GENERAL.—For each new United States embassy compound (NEC) and new consulate compound project (NCC) in or not yet in the design phase as of the date of the enactment of this Act, the Department shall project growth over the estimated life of the facility using all available and relevant data, including the following:

(1) Relevant historical trends for Department personnel and personnel from other agencies represented at the NEC or NCC that is to be constructed.

(2) An analysis of the tradeoffs between risk and the needs of United States Government policy conducted as part of the most recent Vital Presence Validation Process, if applicable.

(3) Reasonable assumptions about the strategic importance of the NEC or NCC, as the case may be, over the life of the building at issue.

(4) Any other data that would be helpful in projecting the future growth of NEC or NCC.

(b) OTHER FEDERAL AGENCIES.—The head of each Federal agency represented at a United States embassy or consulate shall provide to the Secretary, upon request, growth projections for the personnel of each such agency over the estimated life of each embassy or consulate, as the case may be.

(c) BASIS FOR ESTIMATES.—The Department shall base its growth assumption for all NECs and NCCs on the estimates required under subsections (a) and (b).

(d) CONGRESSIONAL NOTIFICATION.—Any congressional notification of site selection for a NEC or NCC submitted after the date of the enactment of this Act shall include the growth assumption used pursuant to subsection (c).

SEC. 5206. LONG-RANGE PLANNING PROCESS.

(a) PLANS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for 5 years, the Secretary shall develop—

(A) a comprehensive 6-year plan documenting the Department's overseas building program for the replacement of overseas diplomatic posts taking into account security factors under the Secure Embassy Construction and Counterterrorism Act of 1999 and other relevant statutes and regulations, as well as occupational safety and health factors pursuant to the Occupational Safety and Health Act of 1970 and other relevant statutes and regulations, including environmental factors such as indoor air quality that impact employee health and safety; and

(B) a comprehensive 6-year plan detailing the Department's long-term planning for the maintenance and sustainment of completed diplomatic posts, which takes into account security factors under the Secure Embassy Construction and Counterterrorism Act of 1999 and other relevant statutes and regulations, as well as occupational safety and health factors pursuant to the Occupational Safety and Health Act of 1970 and other relevant statutes and regulations, including environmental factors such as indoor air quality that impact employee health and safety.

(2) INITIAL REPORT.—The first plan developed pursuant to paragraph (1)(A) shall also include a one-time status report on existing small diplomatic posts and a strategy for establishing a physical diplomatic presence in countries in which there is no current physical diplomatic presence. Such report, which may include a classified annex, shall include the following:

(A) A description of the extent to which each small diplomatic post furthers the national interest of the United States.

(B) A description of how each small diplomatic post provides American Citizen Services, including data on specific services provided and the number of Americans receiving services over the previous year.

(C) A description of whether each small diplomatic post meets current security requirements.

(D) A description of the full financial cost of maintaining each small diplomatic post.

(E) Input from the relevant chiefs of mission on any unique operational or policy value the small diplomatic post provides.

(3) UPDATED INFORMATION.—The annual updates of each of the plans developed pursuant to paragraph (1) shall highlight any changes from the previous year's plan to the ordering of construction and maintenance projects.

(b) REPORTING REQUIREMENTS.—

(1) SUBMISSION OF PLANS TO CONGRESS.—Not later than 60 days after the completion of each plan required under subsection (a), the Secretary shall submit the plans to the appropriate congressional committees.

(2) REFERENCE IN BUDGET JUSTIFICATION MATERIALS.—In the budget justification materials submitted to the appropriate congressional committees in support of the Department's budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the plans required under subsection (a) shall be referenced to justify funding requested for building and maintenance projects overseas.

(3) FORM OF REPORT.—Each report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) SMALL DIPLOMATIC POST DEFINED.—In this section, the term ''small diplomatic post'' means any United States embassy or consulate that has employed five or fewer United States Government employees on average over the 36 months prior to the date of the enactment of this Act.

SEC. 5207. VALUE ENGINEERING AND RISK ASSESSMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) Federal departments and agencies are required to use value engineering (VE) as a management tool, where appropriate, to reduce program and acquisition costs pursuant to OMB Circular A–131, Value Engineering, dated December 31, 2013.

(2) OBO has a Policy Directive and Standard Operation Procedure, dated May 24, 2017, on conducting risk management studies on all international construction projects.

(b) NOTIFICATION REQUIREMENTS.—

(1) SUBMISSION TO AUTHORIZING COMMITTEES.—The proposed allocation of capital construction and maintenance funds that is required by the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the

date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs shall also be submitted to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) REQUIREMENT TO CONFIRM COMPLETION OF VALUE ENGINEERING AND RISK ASSESSMENT STUDIES.—The notifications required under paragraph (1) shall include confirmation that the Department has completed the requisite VE and risk management studies described in subsection (a).

(c) REPORTING AND BRIEFING REQUIREMENTS.—The Secretary shall provide to the appropriate congressional committees upon request—

(1) a description of each risk management study referred to in subsection (a)(2) and a table detailing which recommendations related to each such study were accepted and which were rejected; and

(2) a report or briefing detailing the rationale for not implementing any such recommendations that may otherwise yield significant cost savings to the Department if implemented.

SEC. 5208. BUSINESS VOLUME.

Section 402(c)(2)(E) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4852(c)(2)(E)) is amended by striking ''in 3 years'' and inserting ''cumulatively over 3 years''.

SEC. 5209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.

The Secretary shall provide to the appropriate congressional committees upon request information on security deficiencies at United States diplomatic posts, including relating to the following:

(1) Requests made over the previous year by United States diplomatic posts for security upgrades.

(2) Significant security deficiencies at United States diplomatic posts that are not operating out of a new embassy compound or new consulate compound.

SEC. 5210. OVERSEAS SECURITY BRIEFINGS.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall revise the Foreign Affairs Manual to stipulate that information on the current threat environment shall be provided to all United States Government employees under chief of mission authority traveling to a foreign country on official business. To the extent practicable, such material shall be provided to such employees prior to their arrival at a United States diplomatic post or as soon as possible thereafter.

SEC. 5211. CONTRACTING METHODS IN CAPITAL CONSTRUCTION.

(a) DELIVERY.—Unless the Secretary notifies the appropriate congressional committees that the use of the design-build project delivery method would not be appropriate, the Secretary shall make use of such method at United States diplomatic posts that have not yet received design or capital construction contracts as of the date of the enactment of this Act.

(b) NOTIFICATION.—Before executing a contract for a delivery method other than design-build in accordance with subsection (a), the Secretary shall notify the appropriate congressional committees in writing of the decision, including the reasons therefor. The notification required by this subsection may be included in any other report regarding a new United States diplomatic post that is required to be submitted to the appropriate congressional committees.

(c) PERFORMANCE EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall report to the appropriate congressional committees regarding performance evaluation measures in accordance with GAO's ''Standards for Internal Control in the Federal Government'' that will be applicable to design and construction, lifecycle cost, and building maintenance programs of the Bureau of Overseas Building Operations of the Department.

SEC. 5212. COMPETITION IN EMBASSY CONSTRUCTION.

Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committee a report detailing steps the Department is taking to expand the embassy construction contractor base in order to increase competition and maximize value.

SEC. 5213. STATEMENT OF POLICY.

It is the policy of the United States that the Bureau of Overseas Building Operations of the Department or its successor office shall continue to balance functionality and security with accessibility, as defined by guidelines established by the United States Access Board in constructing embassies and consulates, and shall ensure compliance with the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) to the fullest extent possible.

SEC. 5214. DEFINITIONS.

In this title:

(1) DESIGN-BUILD.—The term ''design-build'' means a method of project delivery in which one entity works under a single contract with the Department to provide design and construction services.

(2) NON-STANDARD DESIGN.—The term ''non-standard design'' means a design for a new embassy compound project or new consulate compound project that does not utilize a standardized design for the structural, spatial, or security requirements of such embassy compound or consulate compound, as the case may be.

TITLE III—PERSONNEL ISSUES

SEC. 5301. DEFENSE BASE ACT INSURANCE WAIVERS.

(a) APPLICATION FOR WAIVERS.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall apply to the Department of Labor for a waiver from insurance requirements under the Defense Base Act (42 U.S.C. 1651 et seq.) for all countries with respect to which the requirement was waived prior to January 2017, and for which there is not currently a waiver.

(b) CERTIFICATION REQUIREMENT.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall certify to the appropriate congressional committees that the requirement in subsection (a) has been met.

SEC. 5302. STUDY ON FOREIGN SERVICE ALLOWANCES.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 270 days after date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report detailing an empirical analysis on the effect of overseas allowances on the foreign assignment of Foreign Service officers (FSOs), to be conducted by a federally-funded research and development center with appropriate expertise in labor economics and military compensation.

(2) CONTENTS.—The analysis required under paragraph (1) shall—

(A) identify all allowances paid to FSOs assigned permanently or on temporary duty to foreign areas;

(B) examine the efficiency of the Foreign Service bidding system in determining foreign assignments;

(C) examine the factors that incentivize FSOs to bid on particular assignments, including danger levels and hardship conditions;

(D) examine the Department's strategy and process for incentivizing FSOs to bid on assignments that are historically in lower demand, including with monetary compensation, and whether monetary compensation is necessary for assignments in higher demand;

(E) make any relevant comparisons to military compensation and allowances, noting which allowances are shared or based on the same regulations;

(F) recommend options for restructuring allowances to improve the efficiency of the assignments system and better align FSO incentives with the needs of the Foreign Service, including any cost savings associated with such restructuring;

(G) recommend any statutory changes necessary to implement subparagraph (F), such as consolidating existing legal authorities for the provision of hardship and danger pay; and

(H) detail any effects of recommendations made pursuant to subparagraphs (F) and (G) on other United States Government departments and agencies with civilian employees permanently assigned or on temporary duty in foreign areas, following consultation with such departments and agencies.

(b) BRIEFING REQUIREMENT.—Before initiating the analysis required under subsection (a)(1), and not later than 60 days after the date of the enactment of this Act, the Secretary shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs in the House of Representatives a briefing on the implementation of this section that includes the following:

(1) The name of the federally funded research and development center that will conduct such analysis.

(2) The scope of such analysis and terms of reference for such analysis as specified between the Department and such federally funded research and development center.

(c) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Secretary shall make available to the federally-funded research and development center carrying out the analysis required under subsection (a)(1) all necessary and relevant information to allow such center to conduct such analysis in a quantitative and analytical manner, including historical data on the number of bids for each foreign assignment and any survey data collected by the Department from eligible bidders on their bid decision-making.

(2) COOPERATION.—The Secretary shall work with the heads of other relevant United States Government departments and agencies to ensure such departments and agencies provide all necessary and relevant information to the federally-funded research and development center carrying out the analysis required under subsection (a)(1).

(d) INTERIM REPORT TO CONGRESS.—The Secretary shall require that the chief executive officer of the federally-funded research and development center that carries out the analysis required under subsection (a)(1) submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives an interim report on such analysis not later than 120 days after the date of the enactment of this Act.

SEC. 5303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by adding at the end the following new subsection:

''(e) GRANTS AND COOPERATIVE AGREEMENTS RELATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAMS.—

''(1) IN GENERAL.—The Secretary is authorized to make grants or enter into cooperative agreements related to Department of

State science and technology fellowship programs, including for assistance in recruiting fellows and the payment of stipends, travel, and other appropriate expenses to fellows.

''(2) EXCLUSION FROM CONSIDERATION AS COMPENSATION.—Stipends under paragraph (1) shall not be considered compensation for purposes of section 209 of title 18, United States Code.

''(3) MAXIMUM ANNUAL AMOUNT.—The total amount of grants made pursuant to this subsection may not exceed $500,000 in any fiscal year.''.

SEC. 5304. TRAVEL FOR SEPARATED FAMILIES.

Section 901(15) of the Foreign Service Act of 1980 (22 U.S.C. 4081(15)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''1 round-trip per year for each child below age 21 of a member of the Service assigned abroad'' and inserting ''in the case of one or more children below age 21 of a member of the Service assigned abroad, 1 round-trip per year'';

(2) in subparagraph (A)—

(A) by inserting ''for each child'' before ''to visit the member abroad''; and

(B) by striking ''; or'' and inserting a comma;

(3) in subparagraph (B)—

(A) by inserting ''for each child'' before ''to visit the other parent''; and

(B) by inserting ''or'' after ''resides,'';

(4) by inserting after subparagraph (B) the following new subparagraph:

''(C) for one of the child's parents to visit the child or children abroad if the child or children do not regularly reside with that parent and that parent is not receiving an education allowance or educational travel allowance for the child or children under section 5924(4) of title 5, United States Code,''; and

(5) in the matter following subparagraph (C), as added by paragraph (4) of this section, by striking ''a payment'' and inserting ''the cost of round-trip travel''.

SEC. 5305. HOME LEAVE TRAVEL FOR SEPARATED FAMILIES.

Section 903(b) of the Foreign Service Act of 1980 (22 U.S.C. 4083(b)) is amended by adding at the end the following new sentence: ''In cases in which the family members of a member of the Service reside apart from the member at authorized locations outside the United States because they are prevented by official order from residing with the member at post, the member may take the leave ordered under this section where that member's family members reside, notwithstanding section 6305 of title 5, United States Code.''.

SEC. 5306. SENSE OF CONGRESS REGARDING CERTAIN FELLOWSHIP PROGRAMS.

It is the sense of Congress that Department fellowships that promote the employment of candidates belonging to under-represented groups, including the Charles B. Rangel International Affairs Graduate Fellowship Program, the Thomas R. Pickering Foreign Affairs Fellowship Program, and the Donald M. Payne International Development Fellowship Program, represent smart investments vital for building a strong, capable, and representative national security workforce.

SEC. 5307. TECHNICAL CORRECTION.

Subparagraph (A) of section 601(c)(6) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended, in the matter preceding clause (i), by—

(1) striking ''promotion'' and inserting ''promotion, on or after January 1, 2017,''; and

(2) striking ''individual joining the Service on or after January 1, 2017,'' and inserting ''Foreign Service officer, appointed under section 302(a)(1), who has general responsibility for carrying out the functions of the Service''.

SEC. 5308. FOREIGN SERVICE AWARDS.

(a) IN GENERAL.—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended—

(1) by amending the section heading to read as follows: ''DEPARTMENT AWARDS''; and

(2) in the first sentence, by inserting ''or Civil Service'' after ''the Service''.

(b) CONFORMING AMENDMENT.—The item relating to section 614 in the table of contents of the Foreign Service Act of 1980 is amended to read as follows:

''Sec. 614. Department awards.''.

SEC. 5309. DIPLOMATIC PROGRAMS.

(a) SENSE OF CONGRESS ON WORKFORCE RECRUITMENT.—It is the sense of Congress that the Secretary should continue to hold entry-level classes for Foreign Service officers and specialists and continue to recruit civil servants through programs such as the Presidential Management Fellows Program and Pathways Internship Programs in a manner and at a frequency consistent with prior years and consistent with the need to maintain a pool of experienced personnel effectively distributed across skill codes and ranks. It is further the sense of Congress that absent continuous recruitment and training of Foreign Service officers and civil servants, the Department will lack experienced, qualified personnel in the short, medium, and long terms.

(b) LIMITATION.—The Secretary may not implement any reduction-in-force action under section 3502 or 3595 of title 5, United States Code, or for any incentive payments for early separation or retirement under any other provision of law unless—

(1) the appropriate congressional committees are notified not less than 15 days in advance of such obligation or expenditure; and

(2) the Secretary has provided to the appropriate congressional committees a detailed report that describes the Department's strategic staffing goals, including—

(A) a justification that describes how any proposed workforce reduction enhances the effectiveness of the Department;

(B) a certification that such workforce reduction is in the national interest of the United States;

(C) a comprehensive strategic staffing plan for the Department, including 5-year workforce forecasting and a description of the anticipated impact of any proposed workforce reduction; and

(D) a dataset displaying comprehensive workforce data for all current and planned employees of the Department, disaggregated by—

(i) Foreign Service officer and Foreign Service specialist rank;

(ii) civil service job skill code, grade level, and bureau of assignment;

(iii) contracted employees, including the equivalent job skill code and bureau of assignment; and

(iv) employees hired under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, including their equivalent grade and job skill code and bureau of assignment.

SEC. 5310. SENSE OF CONGRESS REGARDING VETERANS EMPLOYMENT AT THE DEPARTMENT OF STATE.

It is the sense of Congress that—

(1) the Department should continue to promote the employment of veterans, in accordance with section 301 of the Foreign Service Act of 1980 (22 U.S.C. 3941), as amended by section 405 of this Act, including those veterans belonging to traditionally underrepresented groups at the Department;

(2) veterans employed by the Department have made significant contributions to United States foreign policy in a variety of regional and global affairs bureaus and diplomatic posts overseas; and

(3) the Department should continue to encourage veteran employment and facilitate their participation in the workforce.

SEC. 5311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND PRECLUSIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department should expand the appeal process it makes available to employees related to assignment preclusions and restrictions.

(b) APPEAL OF ASSIGNMENT RESTRICTION OR PRECLUSION.—Section 502(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3982(a)(2)), as amended by section 111 of this Act, is further amended by adding at the end the following new sentences: ''Any employee subjected to an assignment restriction or preclusion shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance. Any such appeal shall be resolved not later than 60 days after such appeal is filed.''.

(c) NOTICE AND CERTIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall revise, and certify to the appropriate congressional committees regarding such revision, the Foreign Affairs Manual guidance regarding denial or revocation of a security clearance to expressly state that all review and appeal rights relating thereto shall also apply to any recommendation or decision to impose an assignment restriction or preclusion to an employee.

SEC. 5312. RECALL AND REEMPLOYMENT OF CAREER MEMBERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) career Department employees provide invaluable service to the United States as nonpartisan professionals who contribute subject matter expertise and professional skills to the successful development and execution of United States foreign policy; and

(2) reemployment of skilled former members of the Foreign and civil service who have voluntarily separated from the Foreign or civil service due to family reasons or to obtain professional skills outside government is of benefit to the Department.

(b) REEMPLOYMENT.—Subsection (b) of section 308 of the Foreign Service Act of 1980 (22 U.S.C. 3948) is amended by adding at the end the following new sentence: ''Former career tenured members of the Service seeking reappointment, if separated for other than cause for up to 4 years prior to the date of the enactment of this sentence, shall be eligible to participate in the regular assignment bidding process without restriction and shall not be required to accept a directed first assignment upon reappointment.''.

(c) NOTICE OF EMPLOYMENT OPPORTUNITIES.—

(1) IN GENERAL.—Title 5, United States Code, is amended by inserting after chapter 102 the following new chapter:

''CHAPTER 103—NOTICE OF EMPLOYMENT OPPORTUNITIES FOR DEPARTMENT OF STATE AND USAID POSITIONS

''§ 10301. Notice of employment opportunities for department of state and usaid positions

''To ensure that individuals who have separated from the Department of State or the United States Agency for International Development and who are eligible for reappointment are aware of such opportunities, the Department of State and the United States Agency for International Development shall publicize notice of all employment opportunities, including positions for which the relevant agency is accepting applications from individuals within the agency's workforce under merit promotion procedures, on publicly accessible sites, including

www.usajobs.gov. If using merit promotion procedures, the notice shall expressly state that former employees eligible for reinstatement may apply.''.

(2) CLERICAL AMENDMENT.—The table of sections for subpart I of title 5, United States Code, is amended by adding at the end the following:

''10301. Notice of employment opportunities for Department of State and USAID positions''.

SEC. 5313. STRATEGIC STAFFING PLAN FOR THE DEPARTMENT.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a comprehensive 5-year strategic staffing plan for the Department that is aligned with and furthers the objectives of the National Security Strategy of the United States of America issued in December 2017, or any subsequent strategy issued not later than 18 months after the date of the enactment of this Act, which shall include the following:

(1) A dataset displaying comprehensive workforce data, including all shortages in bureaus described in GAO report GAO–19–220, for all current and planned employees of the Department, disaggregated by—

(A) Foreign Service officer and Foreign Service specialist rank;

(B) civil service job skill code, grade level, and bureau of assignment;

(C) contracted employees, including the equivalent job skill code and bureau of assignment; and

(D) employees hired under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, including the equivalent grade and job skill code and bureau of assignment of such employee.

(2) Recommendations on the number of Foreign Service officers disaggregated by service cone that should be posted at each United States diplomatic post and in the District of Columbia, with a detailed basis for such recommendations.

(3) Recommendations on the number of civil service officers that should be employed by the Department, with a detailed basis for such recommendations.

(b) MAINTENANCE.—The dataset required under subsection (a)(1) shall be maintained and updated on a regular basis.

(c) CONSULTATION.—The Secretary shall lead the development of the plan required under subsection (a) but may consult or partner with private sector entities with expertise in labor economics, management, or human resources, as well as organizations familiar with the demands and needs of the Department's workforce.

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report regarding root causes of Foreign Service and civil service shortages, the effect of such shortages on national security objectives, and the Department's plan to implement recommendations described in GAO–19–220.

SEC. 5314. CONSULTING SERVICES.

(a) IN GENERAL.—Chapter 103 of title 5, United States Code, as added by section 5312 of this Act, is amended by adding at the end the following:

''§ 10302. Consulting services for the Department of State

''Any consulting service obtained by the Department of State through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts with respect to which expenditures are a matter of public record and available for public inspection, except if otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.''.

(b) CLERICAL AMENDMENT.—The table of sections for subpart I of title 5, United States Code, is amended by adding after the item relating to section 10302 the following new item:

''10302. Consulting services for the Department of State''.

SEC. 5315. INCENTIVES FOR CRITICAL POSTS.

Section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) is amended by striking the last sentence.

SEC. 5316. EXTENSION OF AUTHORITY FOR CERTAIN ACCOUNTABILITY REVIEW BOARDS.

Section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) is amended—

(1) in the heading, by striking ''AFGHANISTAN AND'' and inserting ''AFGHANISTAN, YEMEN, SYRIA, AND''; and

(2) in subparagraph (A)—

(A) in clause (i), by striking ''Afghanistan or'' and inserting ''Afghanistan, Yemen, Syria, or''; and

(B) in clause (ii), by striking ''beginning on October 1, 2005, and ending on September 30, 2009'' and inserting ''beginning on October 1, 2020, and ending on September 30, 2022''.

SEC. 5317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.

Subsection (c) of section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''suspend'' and inserting ''indefinitely suspend without duties'';

(2) by redesignating paragraph (5) as paragraph (7);

(3) by inserting after paragraph (4) the following new paragraphs:

''(5) Any member of the Service suspended from duties under this subsection may be suspended without pay only after a final written decision is provided to such member under paragraph (2).

''(6) If no final written decision under paragraph (2) has been provided within 1 calendar year of the date the suspension at issue was proposed, not later than 30 days thereafter the Secretary of State shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate in writing regarding the specific reasons for such delay.''; and

(4) in paragraph (7), as so redesignated—

(A) by striking ''(7) In this subsection:'';

(B) in subparagraph (A), by striking ''(A) The term'' and inserting the following:

''(7) In this subsection, the term'';

(C) by striking subparagraph (B) (relating to the definition of ''suspend'' and ''suspension''); and

(D) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and moving such subparagraphs 2 ems to the left.

SEC. 5318. FOREIGN AFFAIRS MANUAL AND FOREIGN AFFAIRS HANDBOOK CHANGES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter for 5 years, the Secretary shall submit to the appropriate congressional committees a report detailing all changes made to the Foreign Affairs Manual or the Foreign Affairs Handbook.

(b) COVERED PERIODS.—The first report required under subsection (a) shall cover the 5-year period preceding the submission of such report. Each subsequent report shall cover the 180 day period preceding submission.

(c) CONTENTS.—Each report required under subsection (a) shall contain the following:

(1) The location within the Foreign Affairs Manual or the Foreign Affairs Handbook where a change has been made.

(2) The statutory basis for each such change.

(3) A side-by-side comparison of the Foreign Affairs Manual or Foreign Affairs Handbook before and after such change.

(4) A summary of such changes displayed in spreadsheet form.

SEC. 5319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPATIONAL REQUIREMENTS OF CERTAIN POSITIONS.

The Secretary of State may waive any or all of the individual occupational requirements with respect to an employee or prospective employee of the Department of State for a civilian position categorized under the GS–0130 occupational series if the Secretary determines that the individual possesses significant scientific, technological, engineering, or mathematical expertise that is integral to performing the duties of the applicable position, based on demonstrated job performance and qualifying experience. With respect to each waiver granted under this subsection, the Secretary shall set forth in a written document that is transmitted to the Director of the Office of Personnel Management the rationale for the decision of the Secretary to waive such requirements.

SEC. 5320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL ENGAGEMENT CENTER.

The Secretary may appoint, for a 3-year period that may be extended for up to an additional 2 years, solely to carry out the functions of the Global Engagement Center, employees of the Department without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and may fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title.

SEC. 5321. REST AND RECUPERATION AND OVERSEAS OPERATIONS LEAVE FOR FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following new sections:

''§ 6329d. Rest and recuperation leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' means an Executive agency (as that term is defined in section 105), but does not include the Government Accountability Office;

''(2) the term 'combat zone' means a geographic area designated by an Executive order of the President as an area in which the Armed Forces are engaging or have engaged in combat, an area designated by law to be treated as a combat zone, or a location the Department of Defense has certified for combat zone tax benefits due to its direct support of military operations;

''(3) the term 'employee' has the meaning given that term in section 6301;

''(4) the term 'high risk, high threat post' has the meaning given that term in section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4803); and

''(5) the term 'leave year' means the period beginning on the first day of the first complete pay period in a calendar year and ending on the day immediately before the first day of the first complete pay period in the following calendar year.

''(b) LEAVE FOR REST AND RECUPERATION.—The head of an agency may prescribe regulations to grant up to 20 days of paid leave, per leave year, for the purposes of rest and recuperation to an employee of the agency serving in a combat zone, any other high risk, high threat post, or any other location presenting significant security or operational challenges.

''(c) DISCRETIONARY AUTHORITY OF AGENCY HEAD.—Use of the authority under subsection (b) is at the sole and exclusive discretion of the head of the agency concerned.

''(d) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

''§ 6329e. Overseas operations leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' means an Executive agency (as that term is defined in section 105), but does not include the Government Accountability Office;

''(2) the term 'employee' has the meaning given that term in section 6301; and

''(3) the term 'leave year' means the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

''(b) LEAVE FOR OVERSEAS OPERATIONS.—The head of an agency may prescribe regulations to grant up to 10 days of paid leave, per leave year, to an employee of the agency serving abroad where the conduct of business could pose potential security or safety related risks or would be inconsistent with host-country practice. Such regulations may provide that additional leave days may be granted during such leave year if the head of the agency determines that to do so is necessary to advance the national security or foreign policy interests of the United States.

''(c) DISCRETIONARY AUTHORITY OF AGENCY HEAD.—Use of the authority under subsection (b) is at the sole and exclusive discretion of the head of the agency concerned.

''(d) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.''.

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 6329c the following new items:

''6329d. Rest and recuperation leave
''6329e. Overseas operations leave''.

TITLE IV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION, AND PROMOTION

SEC. 5401. DEFINITIONS.

In this title:

(1) APPLICANT FLOW DATA.—The term ''applicant flow data'' means data that tracks the rate of applications for job positions among demographic categories.

(2) DEMOGRAPHIC DATA.—The term ''demographic data'' means facts or statistics relating to the demographic categories specified in the Office of Management and Budget statistical policy directive entitled ''Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity'' (81 Fed. Reg. 67398).

(3) DIVERSITY.—The term ''diversity'' means those classes of persons protected under the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.) and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(4) WORKFORCE.—The term ''workforce'' means—

(A) individuals serving in a position in the civil service (as defined in section 2101 of title 5, United States Code);

(B) individuals who are members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3902));

(C) all individuals serving under a personal services agreement or personal services contract;

(D) all individuals serving under a Foreign Service Limited appointment under section 309 of the Foreign Service Act of 1980; or

(E) individuals working in the Department of State under any other authority.

SEC. 5402. COLLECTION, ANALYSIS, AND DISSEMINATION OF WORKFORCE DATA.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall, in consultation with the Director of the Office of Personnel Management and the Director of the Office of Management and Budget, submit to the appropriate congressional committees a report, which shall also be posted on a publicly available website of the Department in a searchable database format, that includes disaggregated demographic data and other information regarding the diversity of the workforce of the Department.

(b) DATA.—The report under subsection (a) shall include the following data:

(1) Demographic data on each element of the workforce of the Department, disaggregated by rank and grade or grade-equivalent, with respect to the following groups:

(A) Applicants for positions in the Department.

(B) Individuals hired to join the workforce.

(C) Individuals promoted during the 2-year period ending on the date of the enactment of this Act, including promotions to and within the Senior Executive Service or the Senior Foreign Service.

(D) Individuals serving on applicable selection boards.

(E) Members of any external advisory committee or board who are subject to appointment by individuals at senior positions in the Department.

(F) Individuals participating in professional development programs of the Department, and the extent to which such participants have been placed into senior positions within the Department after such participation.

(G) Individuals participating in mentorship or retention programs.

(H) Individuals who separated from the agency during the 2-year period ending on the date of the enactment of this Act, including individuals in the Senior Executive Service or the Senior Foreign Service.

(2) An assessment of agency compliance with the essential elements identified in Equal Employment Opportunity Commission Management Directive 715, effective October 1, 2003.

(3) Data on the overall number of individuals who are part of the workforce, the percentages of such workforce corresponding to each element listed in section 5401(4), and the percentages corresponding to each rank, grade, or grade-equivalent.

(c) RECOMMENDATION.—The Secretary may include in the report under subsection (a) a recommendation to the Director of Office of Management and Budget and to the appropriate congressional committees regarding whether the Department should collect more detailed data on demographic categories in addition to the race and ethnicity categories specified in the Office of Management and Budget statistical policy directive entitled ''Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity'' (81 Fed. Reg. 67398).

(d) OTHER CONTENTS.—The report under subsection (a) shall also describe and assess the effectiveness of the efforts of the Department—

(1) to propagate fairness, impartiality, and inclusion in the work environment, both domestically and abroad;

(2) to enforce anti-harassment and anti-discrimination policies, both domestically and at posts overseas;

(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to prevent illegal retaliation against employees for participating in a protected equal employment opportunity activity or for reporting sexual harassment or sexual assault;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities; and

(6) to recruit a representative workforce by—

(A) recruiting women and minorities;

(B) recruiting at women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(C) placing job advertisements in newspapers, magazines, and job sites oriented toward women and minorities;

(D) sponsoring and recruiting at job fairs in urban and rural communities and land-grant colleges or universities;

(E) providing opportunities through the Foreign Service Internship Program under chapter 12 of the Foreign Service Act of 1980 (22 U.S.C. 4141 et seq.) and other hiring initiatives;

(F) recruiting mid-level and senior-level professionals through programs designed to increase minority representation in international affairs;

(G) offering the Foreign Service written and oral assessment examinations in several locations throughout the United States to reduce the burden of applicants having to travel at their own expense to take either or both such examinations;

(H) expanding the use of paid internships; and

(I) supporting recruiting and hiring opportunities through—

(i) the Charles B. Rangel International Affairs Fellowship Program;

(ii) the Thomas R. Pickering Foreign Affairs Fellowship Program;

(iii) the Donald M. Payne International Development Fellowship Program; and

(iv) other initiatives, including agency-wide policy initiatives.

(e) ANNUAL UPDATES.—Not later than 1 year after the publication of the report required under subsection (a) and annually thereafter for the following 5 years, the Secretary shall work with the Director of the Office of Personnel Management and the Director of the Office of Management and Budget to provide a report to the appropriate congressional committees, which shall be posted on the Department's website, which may be included in another annual report required under another provision of law, that includes—

(1) disaggregated demographic data relating to the workforce and information on the status of diversity and inclusion efforts of the Department;

(2) an analysis of applicant flow data; and

(3) disaggregated demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs.

SEC. 5403. EXIT INTERVIEWS FOR WORKFORCE.

(a) RETAINED MEMBERS.—The Director General of the Foreign Service and the Director of Human Resources of the Department shall conduct periodic interviews with a representative and diverse cross-section of the workforce of the Department—

(1) to understand the reasons of individuals in such workforce for remaining in a position in the Department; and

(2) to receive feedback on workplace policies, professional development opportunities, and other issues affecting the decision of individuals in the workforce to remain in the Department.

(b) DEPARTING MEMBERS.—The Director General of the Foreign Service and the Director of Human Resources shall provide an

opportunity for an exit interview to each individual in the workforce of the Department who separates from service with the Department to better understand the reasons of such individual for leaving such service.

(c) USE OF ANALYSIS FROM INTERVIEWS.—The Director General of the Foreign Service and the Director of Human Resources shall analyze demographic data and other information obtained through interviews under subsections (a) and (b) to determine—

(1) to what extent, if any, the diversity of those participating in such interviews impacts the results; and

(2) whether to implement any policy changes or include any recommendations in a report required under subsection (a) or (e) of section 5402 relating to the determination reached pursuant to paragraph (1).

(d) TRACKING DATA.—The Department shall—

(1) track demographic data relating to participants in professional development programs and the rate of placement into senior positions for participants in such programs;

(2) annually evaluate such data—

(A) to identify ways to improve outreach and recruitment for such programs, consistent with merit system principles; and

(B) to understand the extent to which participation in any professional development program offered or sponsored by the Department differs among the demographic categories of the workforce; and

(3) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation, in such professional development programs.

SEC. 5404. RECRUITMENT AND RETENTION.

(a) IN GENERAL.—The Secretary shall—

(1) continue to seek a diverse and talented pool of applicants; and

(2) instruct the Director General of the Foreign Service and the Director of the Bureau of Human Resources of the Department to have a recruitment plan of action for the recruitment of people belonging to traditionally under-represented groups, which should include outreach at appropriate colleges, universities, affinity groups, and professional associations.

(b) SCOPE.—The diversity recruitment initiatives described in subsection (a) shall include—

(1) recruiting at women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(2) placing job advertisements in newspapers, magazines, and job sites oriented toward diverse groups;

(3) sponsoring and recruiting at job fairs in urban and rural communities and land-grant colleges or universities;

(4) providing opportunities through highly respected, international leadership programs, that focus on diversity recruitment and retention;

(5) expanding the use of paid internships; and

(6) cultivating partnerships with organizations dedicated to the advancement of the profession of international affairs and national security to advance shared diversity goals.

(c) EXPAND TRAINING ON ANTI-HARASSMENT AND ANTI-DISCRIMINATION.—

(1) IN GENERAL.—The Secretary shall, through the Foreign Service Institute and other educational and training opportunities—

(A) ensure the provision to all individuals in the workforce of training on anti-harassment and anti-discrimination information and policies, including in existing Foreign Service Institute courses or modules prioritized in the Department's Diversity and Inclusion Strategic Plan for 2016–2020 to promote diversity in Bureau awards or mitigate unconscious bias;

(B) expand the provision of training on workplace rights and responsibilities to focus on anti-harassment and anti-discrimination information and policies, including policies relating to sexual assault prevention and response; and

(C) make such expanded training mandatory for—

(i) individuals in senior and supervisory positions;

(ii) individuals having responsibilities related to recruitment, retention, or promotion of employees; and

(iii) any other individual determined by the Department who needs such training based on analysis by the Department or OPM analysis.

(2) BEST PRACTICES.—The Department shall give special attention to ensuring the continuous incorporation of research-based best practices in training provided under this subsection.

SEC. 5405. LEADERSHIP ENGAGEMENT AND ACCOUNTABILITY.

(a) REWARD AND RECOGNIZE EFFORTS TO PROMOTE DIVERSITY AND INCLUSION.—

(1) IN GENERAL.—The Secretary shall implement performance and advancement requirements that reward and recognize the efforts of individuals in senior positions and supervisors in the Department in fostering an inclusive environment and cultivating talent consistent with merit system principles, such as through participation in mentoring programs or sponsorship initiatives, recruitment events, and other similar opportunities.

(2) OUTREACH EVENTS.—The Secretary shall create opportunities for individuals in senior positions and supervisors in the Department to participate in outreach events and to discuss issues relating to diversity and inclusion with the workforce on a regular basis, including with employee resource groups.

(b) EXTERNAL ADVISORY COMMITTEES AND BOARDS.—For each external advisory committee or board to which individuals in senior positions in the Department appoint members, the Secretary is strongly encouraged by Congress to ensure such external advisory committee or board is developed, reviewed, and carried out by qualified teams that represent the diversity of the organization.

SEC. 5406. PROFESSIONAL DEVELOPMENT OPPORTUNITIES AND TOOLS.

(a) EXPAND PROVISION OF PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT OPPORTUNITIES.—

(1) IN GENERAL.—The Secretary is authorized to expand professional development opportunities that support the mission needs of the Department, such as—

(A) academic programs;

(B) private-public exchanges; and

(C) detail assignments to relevant positions in—

(i) private or international organizations;

(ii) State, local, and Tribal governments;

(iii) other branches of the Federal Government; or

(iv) professional schools of international affairs.

(2) TRAINING FOR SENIOR POSITIONS.—

(A) IN GENERAL.—The Secretary shall offer, or sponsor members of the workforce to participate in, a Senior Executive Service candidate development program or other program that trains members on the skills required for appointment to senior positions in the Department.

(B) REQUIREMENTS.—In determining which members of the workforce are granted professional development or career advancement opportunities under subparagraph (A), the Secretary shall—

(i) ensure any program offered or sponsored by the Department under such subparagraph comports with the requirements of subpart C of part 412 of title 5, Code of Federal Regulations, or any successor thereto, including merit staffing and assessment requirements;

(ii) consider the number of expected vacancies in senior positions as a factor in determining the number of candidates to select for such programs;

(iii) understand how participation in any program offered or sponsored by the Department under such subparagraph differs by gender, race, national origin, disability status, or other demographic categories; and

(iv) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation.

SEC. 5407. EXAMINATION AND ORAL ASSESSMENT FOR THE FOREIGN SERVICE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department should offer both the Foreign Service written examination and oral assessment in more locations throughout the United States. Doing so would ease the financial burden on potential candidates who do not currently reside in and must travel at their own expense to one of the few locations where these assessments are offered.

(b) FOREIGN SERVICE EXAMINATIONS.—Section 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3941) is amended—

(1) by striking ''The Secretary'' and inserting: ''(1) The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary shall ensure that the Board of Examiners for the Foreign Service annually offers the oral assessment examinations described in paragraph (1) in cities, chosen on a rotating basis, located in at least three different time zones across the United States.''.

SEC. 5408. PAYNE FELLOWSHIP AUTHORIZATION.

(a) IN GENERAL.—Undergraduate and graduate components of the Donald M. Payne International Development Fellowship Program may conduct outreach to attract outstanding students with an interest in pursuing a Foreign Service career who represent diverse ethnic and socioeconomic backgrounds.

(b) REVIEW OF PAST PROGRAMS.—The Secretary shall review past programs designed to increase minority representation in international affairs positions.

SEC. 5409. VOLUNTARY PARTICIPATION.

(a) IN GENERAL.—Nothing in this title should be construed so as to compel any employee to participate in the collection of the data or divulge any personal information. Department employees shall be informed that their participation in the data collection contemplated by this title is voluntary.

(b) PRIVACY PROTECTION.—Any data collected under this title shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

TITLE V—INFORMATION SECURITY

SEC. 5501. DEFINITIONS.

In this title:

(1) INFORMATION SYSTEM.—The term ''information system'' has the meaning given such term in section 3502 of title 44, United States Code.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(A) the appropriate congressional committees;

(B) the Select Committee on Intelligence of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5502. INFORMATION SYSTEM SECURITY.

(a) DEFINITIONS.—In this section:

(1) INCIDENT.—The term ''incident'' has the meaning given such term in section 3552(b) of title 44, United States Code.

(2) PENETRATION TEST.—The term ''penetration test'' means a test methodology in which assessors attempt to circumvent or defeat the security features of an information system.

(b) CONSULTATIONS PROCESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall establish a process for conducting semiannual consultations with the Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, and any other department or agency representative who the Secretary determines to be appropriate regarding the security of United States Government and nongovernmental information systems used or operated by the Department, a contractor of the Department, or another organization on behalf of the Department, including any such systems or networks facilitating the use of sensitive or classified information.

(c) INDEPENDENT PENETRATION TESTING OF INFORMATION SYSTEMS.—In coordination with the consultations under subsection (b), the Secretary shall commission independent, semiannual penetration tests, which shall be carried out by an appropriate Federal department or agency other than the Department, such as the Department of Homeland Security or the National Security Agency, to ensure that adequate policies and protections are implemented to detect and prevent penetrations or compromises of such information systems, including malicious intrusions by any unauthorized individual, state actor, or other entity.

(d) WAIVER.—The Secretary may waive the requirement under subsection (c) for up to 1 year if the Secretary—

(1) determines that such requirement would have adverse effects on national security or the diplomatic mission of the Department; and

(2) not later than 30 days after the commencement of such a determination, submits to the relevant congressional committees a written justification that describes how such penetration tests would undermine national security or the diplomatic mission of the Department.

(e) INCIDENT REPORTING.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for 3 years, the Secretary, in consultation with the Secretary of Defense, the Director of the National Intelligence, the Secretary of Homeland Security, and any other department or agency representative who the Secretary determines to be appropriate, shall securely submit to the relevant congressional committees a classified report that describes in detail the following:

(1) For the first reporting period, all known and suspected incidents affecting the information systems specified in subsection (b) that occurred during the 180-day period immediately preceding the date of the enactment of this Act.

(2) For all subsequent reporting periods, all known and suspected incidents affecting the information systems specified in subsection (b) that occurred since the submission of the most recent report.

(f) CONTENTS.—Each report under subsection (e) shall include, for the relevant reporting period, a summary overview addressing the following:

(1) A description of the relevant information system, as specified in subsection (b), that experienced a known or suspected incident.

(2) An assessment of the date and time each such incident occurred or was suspected to have occurred.

(3) An assessment of the duration over which each such incident took place or is suspected of having taken place, including whether such incident is ongoing.

(4) An assessment of the volume and sensitivity of information accessed, compromised, or potentially compromised by each incident, including any such information contained on information systems owned, operated, managed, or utilized by any other Federal department or agency.

(5) An assessment of whether such information system was compromised by such incident, including an assessment of the following:

(A) The known or suspected perpetrators, including state actors.

(B) The methods used to carry out the incident.

(C) The known or suspected intent of the actors in accessing the information system.

(6) A description of the actions the Department has taken or plans to take, including timelines and descriptions of any progress on plans described in prior reports, to prevent future, similar incidents affecting such information systems.

SEC. 5503. PROHIBITION ON CONTRACTING WITH CERTAIN TELECOMMUNICATIONS PROVIDERS.

(a) LIST OF COVERED CONTRACTORS.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in consultation with the Director of National Intelligence, shall develop or maintain, as the case may be, and update as frequently as the Secretary determines appropriate, a list of covered contractors with respect to which the prohibition specified in subsection (b) shall apply. Not later than 30 days after the initial development of the list under this subsection, any update thereto, and annually thereafter for 5 years after such initial 30 day period, the Secretary shall submit to the appropriate congressional committees a copy of such list.

(b) PROHIBITION ON CONTRACTS.—The Secretary may not enter into a contract with a covered contractor on the list described in subsection (a).

(c) REMOVAL FROM LIST.—To be removed from the list described in subsection (a), a covered contractor may submit a request to the Secretary in such manner as the Secretary determines appropriate. The Secretary, in consultation with the Director of National Intelligence, shall determine a process for removing covered contractors from the list, as appropriate, and publicly disclose such process.

(d) WAIVERS.—

(1) IN GENERAL.—The President or the Secretary may waive the prohibition specified in subsection (b) if the President or the Secretary determines that such waiver is justified for national security reasons.

(2) WAIVER FOR OVERSEAS OPERATIONS.—The Secretary may waive the prohibition specified in subsection (b) for United States diplomatic posts or diplomatic personnel overseas if the Secretary, in consultation with the Director of National Intelligence, determines that no suitable alternatives are available.

(e) COVERED CONTRACTOR DEFINED.—In this section, the term ''covered contractor'' means a provider of telecommunications, telecommunications equipment, or information technology equipment, including hardware, software, or services, that has knowingly assisted or facilitated a cyber attack or conducted surveillance, including passive or active monitoring, carried out against—

(1) the United States by, or on behalf of, any government, or persons associated with such government, listed as a cyber threat actor in the intelligence community's 2017 assessment of worldwide threats to United States national security or any subsequent worldwide threat assessment of the intelligence community; or

(2) individuals, including activists, journalists, opposition politicians, or other individuals for the purposes of suppressing dissent or intimidating critics, on behalf of a country included in the annual country reports on human rights practices of the Department for systematic acts of political repression, including arbitrary arrest or detention, torture, extrajudicial or politically motivated killing, or other gross violations of human rights.

(f) EFFECTIVE DATE.—This section shall apply with respect to contracts of a covered contractor entered into on or after the date of the enactment of this Act.

SEC. 5504. PRESERVING RECORDS OF ELECTRONIC COMMUNICATIONS CONDUCTED RELATED TO OFFICIAL DUTIES OF POSITIONS IN THE PUBLIC TRUST OF THE AMERICAN PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, as a matter of rule of law and transparency in a democratic government, all officers and employees of the Department and the United States Agency for International Development must preserve all records of communications conducted in their official capacities or related to their official duties with entities outside of the United States Government. It is further the sense of Congress that such practice should include foreign government officials or other foreign entities which may seek to influence United States Government policies and actions.

(b) PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish in the Foreign Affairs Manual guidance implementing chapter 31 of title 44, United States Code (commonly referred to as the ''Federal Records Act''), to treat electronic messaging systems, software, and applications as equivalent to electronic mail for the purpose of identifying Federal records, and shall also publish in the Foreign Affairs Manual the statutory penalties for failure to comply with such guidance. No funds are authorized to be appropriated or made available to the Department of State under any Act to support the use or establishment of accounts on third-party messaging applications or other non-Government online communication tools if the Secretary does not certify to the relevant congressional committees that the Secretary has carried out this section.

SEC. 5505. FOREIGN RELATIONS OF THE UNITED STATES (FRUS) SERIES AND DECLASSIFICATION.

The State Department Basic Authorities Act of 1956 is amended—

(1) in section 402(a)(2) (22 U.S.C. 4352(a)(2)), by striking ''26'' and inserting ''20''; and

(2) in section 404 (22 U.S.C. 4354)—

(A) in subsection (a)(1), by striking ''30''and inserting ''25''; and

(B) in subsection (c)(1)(C), by striking ''30'' and inserting ''25''.

SEC. 5506. VULNERABILITY DISCLOSURE POLICY AND BUG BOUNTY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of internet-facing information technology of the Department in exchange for compensation.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) INFORMATION TECHNOLOGY.—The term ''information technology'' has the meaning given such term in section 11101 of title 40, United States Code.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(b) DEPARTMENT OF STATE VULNERABILITY DISCLOSURE PROCESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall design, establish, and make publicly known a Vulnerability Disclosure Process (VDP) to improve Department cybersecurity by—

(A) providing security researchers with clear guidelines for—

(i) conducting vulnerability discovery activities directed at Department information technology; and

(ii) submitting discovered security vulnerabilities to the Department; and

(B) creating Department procedures and infrastructure to receive and fix discovered vulnerabilities.

(2) REQUIREMENTS.—In establishing the VDP pursuant to paragraph (1), the Secretary shall—

(A) identify which Department information technology should be included in the process;

(B) determine whether the process should differentiate among and specify the types of security vulnerabilities that may be targeted;

(C) provide a readily available means of reporting discovered security vulnerabilities and the form in which such vulnerabilities should be reported;

(D) identify which Department offices and positions will be responsible for receiving, prioritizing, and addressing security vulnerability disclosure reports;

(E) consult with the Attorney General regarding how to ensure that individuals, organizations, and companies that comply with the requirements of the process are protected from prosecution under section 1030 of title 18, United States Code, and similar provisions of law for specific activities authorized under the process;

(F) consult with the relevant offices at the Department of Defense that were responsible for launching the 2016 Vulnerability Disclosure Program, ''Hack the Pentagon'', and subsequent Department of Defense bug bounty programs;

(G) engage qualified interested persons, including nongovernmental sector representatives, about the structure of the process as constructive and to the extent practicable; and

(H) award contracts to entities, as necessary, to manage the process and implement the remediation of discovered security vulnerabilities.

(3) ANNUAL REPORTS.—Not later than 180 days after the establishment of the VDP under paragraph (1) and annually thereafter for the next 5 years, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the VDP, including information relating to the following:

(A) The number and severity, in accordance with the National Vulnerabilities Database of the National Institute of Standards and Technology, of security vulnerabilities reported.

(B) The number of previously unidentified security vulnerabilities remediated as a result.

(C) The current number of outstanding previously unidentified security vulnerabilities and Department of State remediation plans.

(D) The average length of time between the reporting of security vulnerabilities and remediation of such vulnerabilities.

(E) The resources, surge staffing, roles, and responsibilities within the Department used to implement the VDP and complete security vulnerability remediation.

(F) Any other information the Secretary determines relevant.

(c) DEPARTMENT OF STATE BUG BOUNTY PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a bug bounty pilot program to minimize security vulnerabilities of internet-facing information technology of the Department.

(2) REQUIREMENTS.—In establishing the pilot program described in paragraph (1), the Secretary shall—

(A) provide compensation for reports of previously unidentified security vulnerabilities within the websites, applications, and other internet-facing information technology of the Department that are accessible to the public;

(B) award contracts to entities, as necessary, to manage such pilot program and for executing the remediation of security vulnerabilities identified pursuant to subparagraph (A);

(C) identify which Department information technology should be included in such pilot program;

(D) consult with the Attorney General on how to ensure that individuals, organizations, or companies that comply with the requirements of such pilot program are protected from prosecution under section 1030 of title 18, United States Code, and similar provisions of law for specific activities authorized under such pilot program;

(E) consult with the relevant offices at the Department of Defense that were responsible for launching the 2016 ''Hack the Pentagon'' pilot program and subsequent Department of Defense bug bounty programs;

(F) develop a process by which an approved individual, organization, or company can register with the entity referred to in subparagraph (B), submit to a background check as determined by the Department, and receive a determination as to eligibility for participation in such pilot program;

(G) engage qualified interested persons, including nongovernmental sector representatives, about the structure of such pilot program as constructive and to the extent practicable; and

(H) consult with relevant United States Government officials to ensure that such pilot program complements persistent network and vulnerability scans of the Department of State's internet-accessible systems, such as the scans conducted pursuant to Binding Operational Directive BOD–15–01.

(3) DURATION.—The pilot program established under paragraph (1) should be short-term in duration and not last longer than 1 year.

(4) REPORT.—Not later than 180 days after the date on which the bug bounty pilot program under subsection (a) is completed, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on such pilot program, including information relating to—

(A) the number of approved individuals, organizations, or companies involved in such pilot program, broken down by the number of approved individuals, organizations, or companies that—

(i) registered;

(ii) were approved;

(iii) submitted security vulnerabilities; and

(iv) received compensation;

(B) the number and severity, in accordance with the National Vulnerabilities Database of the National Institute of Standards and Technology, of security vulnerabilities reported as part of such pilot program;

(C) the number of previously unidentified security vulnerabilities remediated as a result of such pilot program;

(D) the current number of outstanding previously unidentified security vulnerabilities and Department remediation plans;

(E) the average length of time between the reporting of security vulnerabilities and remediation of such vulnerabilities;

(F) the types of compensation provided under such pilot program; and

(G) the lessons learned from such pilot program.

TITLE VI—PUBLIC DIPLOMACY

SEC. 5601. SHORT TITLE.

This title may be cited as the ''Public Diplomacy Modernization Act of 2020''.

SEC. 5602. AVOIDING DUPLICATION OF PROGRAMS AND EFFORTS.

The Secretary shall—

(1) identify opportunities for greater efficiency of operations, including through improved coordination of efforts across public diplomacy bureaus and offices of the Department; and

(2) maximize shared use of resources between, and within, such public diplomacy bureaus and offices in cases in which programs, facilities, or administrative functions are duplicative or substantially overlapping.

SEC. 5603. IMPROVING RESEARCH AND EVALUATION OF PUBLIC DIPLOMACY.

(a) RESEARCH AND EVALUATION ACTIVITIES.—The Secretary, acting through the Director of Research and Evaluation appointed pursuant to subsection (b), shall—

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) make available to Congress the findings of the research and evaluations conducted under paragraph (1).

(b) DIRECTOR OF RESEARCH AND EVALUATION.—

(1) APPOINTMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall appoint a Director of Research and Evaluation (referred to in this subsection as the ''Director'') in the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs of the Department.

(2) LIMITATION ON APPOINTMENT.—The appointment of the Director pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

(3) RESPONSIBILITIES.—The Director shall—

(A) coordinate and oversee the research and evaluation of public diplomacy programs and activities of the Department in order to—

(i) improve public diplomacy strategies and tactics; and

(ii) ensure that such programs and activities are increasing the knowledge, understanding, and trust of the United States by relevant target audiences;

(B) routinely organize and oversee audience research, digital analytics, and impact evaluations across all public diplomacy bureaus and offices of the Department;

(C) support United States diplomatic posts' public affairs sections;

(D) share appropriate public diplomacy research and evaluation information within the Department and with other appropriate Federal departments and agencies;

(E) regularly design and coordinate standardized research questions, methodologies,

and procedures to ensure that public diplomacy programs and activities across all public diplomacy bureaus and offices are designed to meet appropriate foreign policy objectives; and

(F) report biannually to the United States Advisory Commission on Public Diplomacy, through the Subcommittee on Research and Evaluation established pursuant to subsection (f), regarding the research and evaluation of all public diplomacy bureaus and offices.

(4) GUIDANCE AND TRAINING.—Not later than 1 year after the appointment of the Director pursuant to paragraph (1), the Director shall develop guidance and training, including curriculum for use by the Foreign Service Institute, for all public diplomacy officers of the Department regarding the reading and interpretation of public diplomacy program and activity evaluation findings to ensure that such findings and related lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities of the Department.

(c) PRIORITIZING RESEARCH AND EVALUATION.—

(1) IN GENERAL.—The head of the Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs of the Department shall ensure that research and evaluation of public diplomacy and activities of the Department, as coordinated and overseen by the Director pursuant to subsection (b), supports strategic planning and resource allocation across all public diplomacy bureaus and offices of the Department.

(2) ALLOCATION OF RESOURCES.—Amounts allocated for the purpose of research and evaluation of public diplomacy programs and activities of the Department pursuant to subsection (b) shall be made available to be disbursed at the direction of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the Department should gradually increase its allocation of funds made available under the headings ''Educational and Cultural Exchange Programs'' and ''Diplomatic Programs'' for research and evaluation of public diplomacy programs and activities of the Department pursuant to subsection (b) to a percentage of program funds that is commensurate with Federal Government best practices.

(d) LIMITED EXEMPTION RELATING TO THE PRIVACY ACT.—

(1) IN GENERAL.—The Department shall maintain, collect, use, and disseminate records (as such term is defined in section 552a(a)(4) of title 5, United States Code) for audience research, digital analytics, and impact evaluation of communications related to public diplomacy efforts intended for foreign audiences.

(2) CONDITIONS.—Audience research, digital analytics, and impact evaluations under paragraph (1) shall be—

(A) reasonably tailored to meet the purposes of this subsection; and

(B) carried out with due regard for privacy and civil liberties guidance and oversight.

(e) UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The United States Advisory Commission on Public Diplomacy shall establish a Subcommittee on Research and Evaluation to monitor and advise regarding audience research, digital analytics, and impact evaluations carried out by the Department and the United States Agency for Global Media.

(2) ANNUAL REPORT.—The Subcommittee on Research and Evaluation established pursuant to paragraph (1) shall submit to the appropriate congressional committees an annual report, in conjunction with the United States Advisory Commission on Public Diplomacy's Comprehensive Annual Report on the performance of the Department and the United States Agency for Global Media, describing all actions taken by the Subcommittee pursuant to paragraph (1) and any findings made as a result of such actions.

SEC. 5604. PERMANENT REAUTHORIZATION OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended—

(1) in the section heading, by striking ''**SUNSET**'' and inserting ''**CONTINUATION**''; and

(2) by striking ''until October 1, 2020''.

SEC. 5605. STREAMLINING OF SUPPORT FUNCTIONS.

(a) WORKING GROUP ESTABLISHED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall establish a working group to explore the possibilities and cost-benefit analysis of transitioning to a shared services model as such pertains to human resources, travel, purchasing, budgetary planning, and all other executive support functions for all bureaus of the Department that report to the Under Secretary for Public Diplomacy of the Department.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a plan to implement any such findings of the working group established under subsection (a).

SEC. 5606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall adopt, and include in the Foreign Affairs Manual, guidelines to collect and utilize information from each diplomatic post at which the construction of a new embassy compound or new consulate compound would result in the closure or co-location of an American Space, American Center, American Corner, or any other public diplomacy facility under the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).

(b) REQUIREMENTS.—The guidelines required by subsection (a) shall include the following:

(1) Standardized notification to each chief of mission at a diplomatic post describing the requirements of the Secure Embassy Construction and Counterterrorism Act of 1999 and the impact on the mission footprint of such requirements.

(2) An assessment and recommendations from each chief of mission of potential impacts to public diplomacy programming at such diplomatic post if any public diplomacy facility referred to in subsection (a) is closed or staff is co-located in accordance with such Act.

(3) A process by which assessments and recommendations under paragraph (2) are considered by the Secretary and the appropriate Under Secretaries and Assistant Secretaries of the Department.

(4) Notification to the appropriate congressional committees, prior to the initiation of a new embassy compound or new consulate compound design, of the intent to close any such public diplomacy facility or co-locate public diplomacy staff in accordance with such Act.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report containing the guidelines required under subsection (a) and any recommendations for any modifications to such guidelines.

SEC. 5607. DEFINITIONS.

In this title:

(1) AUDIENCE RESEARCH.—The term ''audience research'' means research conducted at the outset of a public diplomacy program or the outset of campaign planning and design regarding specific audience segments to understand the attitudes, interests, knowledge, and behaviors of such audience segments.

(2) DIGITAL ANALYTICS.—The term ''digital analytics'' means the analysis of qualitative and quantitative data, accumulated in digital format, to indicate the outputs and outcomes of a public diplomacy program or campaign.

(3) IMPACT EVALUATION.—The term ''impact evaluation'' means an assessment of the changes in the audience targeted by a public diplomacy program or campaign that can be attributed to such program or campaign.

(4) PUBLIC DIPLOMACY BUREAUS AND OFFICES.—The term ''public diplomacy bureaus and offices'' means, with respect to the Department, the following:

(A) The Bureau of Educational and Cultural Affairs.

(B) The Bureau of Global Public Affairs.

(C) The Office of Policy, Planning, and Resources for Public Diplomacy and Public Affairs.

(D) The Global Engagement Center.

(E) The public diplomacy functions within the regional and functional bureaus.

TITLE VII—COMBATING PUBLIC CORRUPTION

SEC. 5701. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the foreign policy interest of the United States to help foreign countries promote good governance and combat public corruption;

(2) multiple Federal departments and agencies operate programs that promote good governance in foreign countries and enhance such countries' ability to combat public corruption;

(3) the Department should promote coordination among the Federal departments and agencies implementing programs to promote good governance and combat public corruption in foreign countries in order to improve effectiveness and efficiency; and

(4) the Department should identify areas in which United States efforts to help other countries promote good governance and combat public corruption could be enhanced.

SEC. 5702. ANNUAL ASSESSMENT.

(a) IN GENERAL.—For each of fiscal years 2021 through 2027, the Secretary shall assess the capacity and commitment of foreign countries to combat public corruption. Each such assessment shall—

(1) utilize independent, third party indicators that measure transparency, accountability, and corruption in the public sector in such countries, including the extent to which public power is exercised for private gain, to identify those countries that are most vulnerable to public corruption;

(2) consider, to the extent reliable information is available, whether the government of a country identified under paragraph (1)—

(A) has adopted measures to prevent public corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of public corruption;

(B) has enacted laws and established government structures, policies, and practices that prohibit public corruption;

(C) enforces such laws through a fair judicial process;

(D) vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate public corruption, including nationals of such country who are deployed in foreign military assignments,

trade delegations abroad, or other similar missions who engage in or facilitate public corruption;

(E) prescribes appropriate punishment for serious, significant corruption that is commensurate with the punishment prescribed for serious crimes;

(F) prescribes appropriate punishment for significant corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

(G) convicts and sentences persons responsible for such acts that take place wholly or partly within the country of such government, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

(H) holds private sector representatives accountable for their role in public corruption; and

(I) addresses threats for civil society to monitor anti-corruption efforts; and

(3) further consider—

(A) verifiable measures taken by the government of a country identified under paragraph (1) to prohibit government officials from participating in, facilitating, or condoning public corruption, including the investigation, prosecution, and conviction of such officials;

(B) the extent to which such government provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat public corruption, including reporting, investigating, and monitoring;

(C) the extent to which an independent judiciary or judicial body in such country is responsible for, and effectively capable of, deciding public corruption cases impartially, on the basis of facts and in accordance with law, without any improper restrictions, influences, inducements, pressures, threats, or interferences, whether direct or indirect, from any source or for any reason;

(D) the extent to which such government cooperates meaningfully with the United States to strengthen government and judicial institutions and the rule of law to prevent, prohibit, and punish public corruption;

(E) the extent to which such government—

(i) is assisting in international investigations of transnational public corruption networks and in other cooperative efforts to combat serious, significant corruption, including cooperating with the governments of other countries to extradite corrupt actors;

(ii) recognizes the rights of victims of public corruption, ensures their access to justice, and takes steps to prevent such victims from being further victimized or persecuted by corrupt actors, government officials, or others; and

(iii) refrains from prosecuting legitimate victims of public corruption or whistleblowers due to such persons having assisted in exposing public corruption, and refrains from other discriminatory treatment of such persons; and

(F) contain such other information relating to public corruption as the Secretary considers appropriate.

(b) IDENTIFICATION.—After conducting each assessment under subsection (a), the Secretary shall identify the countries described in paragraph (1) of such subsection that are—

(1) meeting minimum standards to combat public corruption;

(2) not meeting such minimum standards but making significant efforts to do so; and

(3) neither meeting such minimum standards nor making significant efforts to do so.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter through fiscal year 2026, the Secretary shall submit to the appropriate congressional committees and make publicly available a report that identifies the countries described in subsection (a)(1) and paragraphs (2) and (3) of subsection (b), including a description of the methodology and data utilized in the assessments under subsection (a) and the reasons for such identifications.

(d) BRIEFING IN LIEU OF REPORT.—The Secretary may waive the requirement to submit and make publicly available a written report under subsection (c) if the Secretary—

(1) determines that publication of such report would—

(A) undermine existing United States anti-corruption efforts in one or more countries; or

(B) threaten the national interests of the United States; and

(2) provides a briefing to the appropriate congressional committees that identifies the countries described in subsection (a)(1) and paragraphs (2) and (3) of subsection (b), including a description of the methodology and data utilized in the assessment under subsection (a) and the reasons for such identifications.

SEC. 5703. TRANSPARENCY AND ACCOUNTABILITY.

For each country identified under paragraphs (2) and (3) of section 5702(b), the Secretary, in coordination with the Administrator of the United States Agency for International Development, as appropriate, shall—

(1) ensure that a corruption risk assessment and mitigation strategy is included in the integrated country strategy for such country; and

(2) utilize appropriate mechanisms to combat corruption in such countries, including by ensuring—

(A) the inclusion of anti-corruption clauses in contracts, grants, and cooperative agreements entered into by the Department or the Agency for or in such countries, which allow for the termination of such contracts, grants, or cooperative agreements, as the case may be, without penalty if credible indicators of public corruption are discovered;

(B) the inclusion of appropriate clawback or flowdown clauses within the procurement instruments of the Department and the Agency that provide for the recovery of funds misappropriated through corruption;

(C) the appropriate disclosure to the United States Government, in confidential form, if necessary, of the beneficial ownership of contractors, subcontractors, grantees, cooperative agreement participants, and other organizations implementing programs on behalf of the Department or Agency; and

(D) the establishment of mechanisms for investigating allegations of misappropriated resources and equipment.

SEC. 5704. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) IN GENERAL.—The Secretary shall annually designate an anti-corruption point of contact at the United States diplomatic post to each country identified under paragraphs (2) and (3) of section 5702(b), or which the Secretary otherwise determines is in need of such a point of contact.

(b) RESPONSIBILITIES.—Each designated anti-corruption point of contact under subsection (a) shall be responsible for coordinating and overseeing implementation of a whole-of-government approach among the relevant Federal departments and agencies that operate programs that promote good governance in foreign countries and enhance such countries' ability to combat public corruption in order to accomplish such objectives in the country to which such point of contact is posted, including through the development and implementation of corruption risk assessment tools and mitigation strategies.

(c) TRAINING.—The Secretary shall implement appropriate training for designated anti-corruption points of contact under subsection (a).

SEC. 5705. REPORTING REQUIREMENTS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary shall, for each of fiscal years 2021 through 2026, submit to the appropriate congressional committees a report on implementation of this title, including a description of the following:

(A) The offices within the Department and the United States Agency for International Development that are engaging in significant anti-corruption activities.

(B) The findings and actions of designated anti-corruption points of contact to develop and implement risk mitigation strategies and ensure compliance with section 5703.

(C) The training implemented under section 5704(c).

(D) Management of the whole-of-government effort referred to in section 5704(b) to combat corruption within the countries identified in section 5702 and efforts to improve coordination across Federal departments and agencies.

(E) The risk assessment tools and mitigation strategies utilized by the Department and the Agency.

(F) Other information determined by the Secretary to be necessary and appropriate.

(2) FORM OF REPORT.—Each report under this subsection shall be submitted in an unclassified format but may include a classified annex.

(b) ONLINE PLATFORM.—The Secretary shall consolidate existing reports with anti-corruption components into one online, public platform, which should—

(1) include—

(A) the annual Country Reports on Human Rights Practices;

(B) the annual Fiscal Transparency Report;

(C) the annual Investment Climate Statements;

(D) the annual International Narcotics Control Strategy Report;

(E) the Country Scorecards of the Millennium Challenge Corporation; and

(F) any other relevant public reports; and

(2) link to third-party indicators and compliance mechanisms used by the United States Government to inform policy and programming, such as—

(A) the International Finance Corporation's Doing Business surveys;

(B) the International Budget Partnership's Open Budget Index; and

(C) multilateral peer review anti-corruption compliance mechanisms, such as the Organization for Economic Co-operation and Development's Working Group on Bribery in International Business Transactions and the United Nations Convention Against Corruption, done at New York October 31, 2003, to further highlight expert international views on country challenges and country efforts.

(c) TRAINING.—The Secretary and the Administrator of the United States Agency for International Development shall incorporate anti-corruption components into existing Foreign Service and Civil Service training courses to—

(1) increase the ability of Department and Agency personnel to support anti-corruption as a foreign policy priority; and

(2) strengthen the ability of such personnel to design, implement, and evaluate more effective anti-corruption programming around the world, including enhancing skills to better evaluate and mitigate public corruption risks in assistance programs.

SEC. 5706. FOREIGN INVESTMENTS AND NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act

and biennially thereafter for the following 5 years, the Secretary, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the heads of other agencies, as appropriate, shall submit to Congress an interagency strategy to work with foreign governments and multilateral institutions to guard against the risks of certain transactions involving foreign investments.

(b) CONTENTS.—Each interagency strategy under paragraph (1) shall include plans relating to the following:

(1) Information sharing with foreign governments and multilateral institutions regarding risks associated with potential foreign investments.

(2) Promoting American and other alternatives to foreign investments identified as presenting substantial risk to the national security or sovereignty of a country.

(3) Providing technical assistance to foreign governments or multilateral institutions regarding screening foreign investments.

(4) Designating points of contact at each United States mission to foreign governments and multilateral institutions, and in associated regional bureaus, to coordinate efforts described in this paragraph.

(c) COORDINATION.—If the Secretary determines such is appropriate, the designated points of contact referred to in subsection (b)(4) may be the same individual designated under section 5704(a).

TITLE VIII—MISCELLANEOUS

SEC. 5801. CASE-ZABLOCKI ACT REFORM.

Section 112b of title 1, United States Code, is amended—

(1) in subsection (a), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''; and

(2) by amending subsection (b) to read as follows:

''(b) Each department or agency of the United States Government that enters into any international agreement described in subsection (a) on behalf of the United States, shall designate a Chief International Agreements Officer, who—

''(1) shall be a current employee of such department or agency;

''(2) shall serve concurrently as Chief International Agreements Officer; and

''(3) subject to the authority of the head of such department or agency, shall have department or agency-wide responsibility for efficient and appropriate compliance with subsection (a) to transmit the text of any international agreement to the Department of State expeditiously after such agreement has been signed.''.

SEC. 5802. LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT.

Section 620(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(q)) is amended—

(1) by striking ''No assistance'' and inserting the following:

''(1) No assistance'';

(2) by inserting ''the government of'' before ''any country'';

(3) by inserting ''the government of'' before ''such country'' each place it appears;

(4) by striking ''determines'' and all that follows and inserting ''determines, after consultation with the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate, that assistance for such country is in the national interest of the United States.''; and

(5) by adding at the end the following:

''(2) No assistance shall be furnished under this Act, the Peace Corps Act, the Millennium Challenge Act of 2003, the African Development Foundation Act, the BUILD Act of 2018, section 504 of the FREEDOM Support Act, or section 23 of the Arms Export Control Act to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest or any loan made to the government of such country by the United States unless the President determines, following consultation with the congressional committees specified in paragraph (1), that assistance for such country is in the national interest of the United States.''.

SEC. 5803. PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM.

(a) PROHIBITION.—Subsection (a) of section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is amended by striking ''that the government of that country'' and all that follows and inserting ''that the government of that country—

''(1) has repeatedly provided support for acts of international terrorism;

''(2) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

''(3) otherwise supports international terrorism; or

''(4) is controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).''.

(b) RESCISSION.—Subsection (c) of such section is amended by striking ''and the Chairman of the Committee on Foreign Relations of the Senate'' and inserting '', the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate''.

(c) WAIVER.—Subsection (d)(2) of such section is amended by striking ''and the chairman of the Committee on Foreign Relations of the Senate'' and inserting '', the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate''.

(d) PROHIBITION ON LETHAL MILITARY EQUIPMENT EXPORTS.—Such section, as so amended, is further amended by adding at the end the following:

''(e) PROHIBITION ON LETHAL MILITARY EQUIPMENT EXPORTS.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—The United States shall not provide any assistance under this Act or section 23 of the Arms Export Control Act to any foreign government that provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 1754(c) of the Export Control Reform Act of 2018.

''(B) TERMINATION.—The prohibition on assistance under subparagraph (A) with respect to a foreign government shall terminate 12 months after such government ceases to provide the lethal military equipment described in such subparagraph.

''(C) APPLICABILITY.—This subsection applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

''(2) WAIVER.—The President may waive the prohibition on assistance under paragraph (1) with respect to a foreign government if the President determines that to do so is important to the national interest of the United States.

''(3) REPORT.—Upon the exercise of the waiver authority pursuant to paragraph (2), the President shall submit to the appropriate congressional committees a report with respect to the furnishing of assistance under the waiver authority, including—

''(A) a detailed explanation of the assistance to be provided;

''(B) the estimated dollar amount of such assistance; and

''(C) an explanation of how the assistance furthers the national interest of the United States.

''(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.''.

SEC. 5804. SEAN AND DAVID GOLDMAN CHILD ABDUCTION PREVENTION AND RETURN ACT OF 2014 AMENDMENT.

Subsection (b) of section 101 of the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9111; Public Law 113–150) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by inserting '', respectively,'' after ''access cases''; and

(ii) by inserting ''and the number of children involved'' before the semicolon at the end;

(B) in subparagraph (D), by inserting ''respectively, the number of children involved,'' after ''access cases,'';

(2) in paragraph (7), by inserting '', and number of children involved in such cases'' before the semicolon at the end;

(3) in paragraph (8), by striking ''and'' after the semicolon at the end;

(4) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(5) by adding at the end the following new paragraph:

''(10) the total number of pending cases the Department of State has assigned to case officers and number of children involved for each country and as a total for all countries.''.

SEC. 5805. MODIFICATION OF AUTHORITIES OF COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD.

(a) IN GENERAL.—Chapter 3123 of title 54, United States Code, is amended as follows:

(1) In section 312302, by inserting '', and unimpeded access to those sites,'' after ''and historic buildings''.

(2) In section 312304(a)—

(A) in paragraph (2)—

(i) by striking ''and historic buildings'' and inserting ''and historic buildings, and unimpeded access to those sites''; and

(ii) by striking ''and protected'' and inserting '', protected, and made accessible''; and

(B) in paragraph (3), by striking ''and protecting'' and inserting '', protecting, and making accessible''.

(3) In section 312305, by inserting ''and to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate'' after ''President''.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Commission for the Preservation of America's Heritage Abroad shall submit to the President and to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains an evaluation of the extent to which the Commission is prepared to continue its activities and accomplishments with respect to the foreign heritage of United States citizens from eastern and central Europe, were the Commission's duties and powers extended to include other regions, including the Middle East and

North Africa, and any additional resources or personnel the Commission would require.

SEC. 5806. CHIEF OF MISSION CONCURRENCE.

In the course of providing concurrence to the exercise of the authority pursuant to section 127e of title 10, United State Code, or section 1202 of the National Defense Authorization Act for Fiscal Year 2018—

(1) each relevant chief of mission shall inform and consult in a timely manner with relevant individuals at relevant missions or bureaus of the Department of State; and

(2) the Secretary of State shall take such steps as may be necessary to ensure that such relevant individuals have the security clearances necessary to so consult in a timely manner with respect to such concurrence.

AMENDMENT NO. 128 OFFERED BY MR. ENGEL OF NEW YORK

Add at the end of subtitle G of title XII the following:

SEC. 12___. ESTABLISHMENT OF NATIONAL COMMISSION ON U.S. COUNTERTERRORISM POLICY.

(a) ESTABLISHMENT.—There is established an independent commission within the legislative branch to be known as the ''National Commission on U.S. Counterterrorism Policy'' (in this section referred to as the ''Commission'').

(b) PURPOSE.—The Commission shall assess United States counterterrorism efforts, including the study areas specified in subsection (c), and make recommendations based on its findings.

(c) STUDY AREAS.—In carrying out subsection (b), the Commission shall study the following:

(1) The evolution of threats to the United States since September 11, 2001, from international and domestic terrorism, including—

(A) an assessment of potential connections between such threats, and the risks such threats pose relative to other security threats to the United States and United States national interests; and

(B) the effects of United States counterterrorism objectives, priorities, capabilities, policies, programs, and activities on such threats.

(2) The applicability of major lessons learned from United States counterterrorism objectives, priorities, policies, programs, and activities since September 11, 2001, for ongoing and future counterterrorism objectives, priorities, policies, programs, and activities.

(3) Ongoing United States counterterrorism objectives, priorities, capabilities, policies, programs, and activities, including an assessment of the following:

(A) Whether such objectives, priorities, capabilities, policies, programs, and activities are appropriately integrated, programmatically and organizationally, into wider United States foreign and domestic policy.

(B) Whether counterterrorism resources are appropriately balanced across the range of counterterrorism programs and activities conducted by the United States, and the actions necessary to improve such balance if necessary.

(C) The potential constraints on counterterrorism objectives, priorities, capabilities, policies, programs, and activities resulting from the United States' need to confront a growing number of geopolitical and security challenges, and how to mitigate any terrorism-related risks that might result.

(D) The potential new or emerging challenges or opportunities of conducting counterterrorism operations in contested environments where strategic state competitors such as Russia, China, or Iran operate, and identification of actions the United States Government should take to mitigate potential risks and take advantage of possible opportunities.

(E) The instruments of national power used to advance counterterrorism objectives and identification of new or modified instruments, if appropriate.

(F) Any impacts of such counterterrorism objectives, priorities, capabilities, policies, programs, and activities on civil rights and civil liberties in the United States and internationally recognized human rights and humanitarian principles abroad.

(4) The legal authorities and policy frameworks for counterterrorism programs and activities in the United States and abroad, and whether such authorities or frameworks require updating.

(5) The state of United States counterterrorism partnerships, including—

(A) the impact of United States counterterrorism objectives, priorities, capabilities, policies, programs, and activities on the counterterrorism objectives, priorities, capabilities, policies, programs, and activities of partner countries; and

(B) the willingness, capacity, and capability of United States counterterrorism partners to combat shared threats, and the impact of security assistance and foreign assistance on such willingness, capacity, and capability.

(6) Ongoing efforts by the executive branch to measure the effectiveness of United States counterterrorism objectives, priorities, capabilities, policies, programs, and activities through net assessments and evaluations of lessons learned, including an assessment of efforts to address factors that contribute to terrorist recruitment and radicalization.

(7) Recommendations on how best to adapt United States counterterrorism objectives, priorities, capabilities, policies, programs, and activities on the basis of the areas of study specified in this subsection and any other findings the Commission determines relevant.

(d) COMPOSITION.—

(1) MEMBERS.—The Commission shall be composed of 14 commissioners, to be appointed as follows:

(A) One commissioner appointed by the Chairman, with the concurrence of the ranking member, of each of the appropriate congressional committees.

(B) A Chairperson, appointed by the Speaker of the House of Representatives, with the concurrence of the Minority Leader of the House of Representatives.

(C) A Vice-Chairperson, appointed by the Majority Leader of the Senate, with the concurrence of the Minority Leader of the Senate.

(2) QUALIFICATIONS.—Individuals appointed to the Commission shall be United States persons with relevant counterterrorism expertise and experience in diplomacy, law enforcement, the Armed Forces, law, public administration, Congress, intelligence, academia, human rights, civil rights, or civil liberties. The leadership of the House of Representatives and the Senate shall coordinate with the appropriate congressional committees to ensure that Commission membership represents a variety of expertise in such fields. At least one of the commissioners shall possess a civil rights or civil liberties background in addition to relevant counterterrorism expertise, and one commissioner shall possess an international human rights background in addition to relevant counterterrorism expertise.

(3) PROHIBITIONS.—An individual appointed to the Commission may not be—

(A) a Member of Congress, including a Delegate or Resident Commissioner;

(B) an employee or official of any other branch of the Federal Government;

(C) an employee or official of any State, territory, county, or municipality in the United States; or

(D) a registered lobbyist.

(4) CONFLICTS OF INTEREST.—An individual appointed to the Commission shall disclose any financial gains from private sector employment conducted in support of United States counterterrorism objectives, priorities, capabilities, policies, programs, or activities at any time since the September 11, 2001, attacks.

(5) DEADLINE FOR APPOINTMENT OF COMMISSIONERS.—Individuals appointed to the Commission shall be appointed not later than—

(A) 30 days after the date of the enactment of this Act, or

(B) December 31, 2020,

whichever occurs first.

(6) PERIOD OF APPOINTMENT.—Each commissioner and the Chairperson and Vice-Chairperson shall be appointed for the life of the Commission.

(7) VACANCIES.—Any vacancy in the Commission shall not affect its powers and duties and shall be filled in the same manner as the original appointment within 30 days of such vacancy occurring.

(8) COMPENSATION.—Commissioners and the Chairperson and Vice-Chairperson shall serve without pay.

(9) TRAVEL EXPENSES.—Commissioners and the Chairperson and Vice-Chairperson shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code, while away from their homes or regular places of business in performance of services for the Commission.

(e) MEETINGS.—

(1) INITIAL MEETING.—The initial meeting of the Commission shall be held not later than 30 days after the satisfaction of all of the following:

(A) The appointment of two-thirds of the members of the Commission, including at least one of the Chairperson or Vice-Chairperson.

(B) The transfer of funding under subsection (k).

(2) RESPONSIBILITY.—The Commission shall, at its initial meeting, develop and implement a schedule for completion of the review and assessment under subsection (b) and report under subsection (m)(2).

(3) SUBSEQUENT MEETINGS.—The Commission shall meet at the call the Chairperson or a majority of commissioners.

(4) QUORUM.—Eight commissioners shall constitute a quorum, and commissioners may vote by proxy.

(f) CONSULTATION.—In conducting the review and assessment and study required under this section, the Commission shall consult with relevant experts in the Federal Government (including relevant Members of Congress and congressional staff), academia, law, civil society, and the private sector.

(g) POWERS OF THE COMMISSION.—

(1) HEARINGS AND EVIDENCE.—For the purposes of carrying out this section, the Commission may—

(A) hold classified or unclassified hearings, take testimony, receive evidence, and administer oaths; and

(B) subject to paragraph (3), require, by subpoena authorized by majority vote of the Commission and issued under the signature of the Chairperson or any member designated by a majority of the Commission, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission may determine advisable.

(2) NOTIFICATION OF COMMITTEES.—If the Commission is unable to obtain testimony or documents needed to conduct its work, the Commission shall notify the appropriate congressional committees.

(3) SUBPOENA ENFORCEMENT.—

(A) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under paragraph (1)(B), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(B) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(4) LIMITATIONS ON SUBPOENA AUTHORITY.—With respect to the subpoena authority under paragraph (1)(B), the Commission—

(A) may only issue a subpoena to a member of Federal, State, local, Tribal, or territorial government;

(B) may reference unclassified documents and information obtained through a subpoena when conducting interviews to further the Commission's objectives, and may include such documents and information in the final report, but may not otherwise share, disclose, publish, or transmit in any way any information obtained through a subpoena to another Federal department or agency, any agency of a State, local, Tribal, or territorial government, or any international body; and

(C) shall comply with requirements for the issuance of a subpoena issued by a United States district court under the Federal Rules of Civil Procedure.

(5) MEETINGS.—The Commission shall—

(A) hold public hearings and meetings;

(B) hold classified hearings or meetings if necessary to discuss classified material or information; and

(C) provide an opportunity for public comment, including sharing of research and policy analysis, through publication in the Federal Register of a solicitation for public comments during a period to last not fewer than 45 days.

(h) RESOURCES.—

(1) AUTHORITY TO USE THE UNITED STATES MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(2) DOCUMENTS, STATISTICAL DATA AND OTHER SUCH INFORMATION.—Upon written request by the Chairperson, Vice-Chairperson, or any commissioner designated by a majority of the Commission, an executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government—

(A) shall provide reasonable access to documents, statistical data, and other such information the Commission determines necessary to carry out its duties; and

(B) shall, to the extent authorized by law, furnish any information, suggestions, estimates, and statistics the Commission determines necessary to carry out its duties.

(3) GIFTS.—No member or staff of the Commission may receive a gift or benefit by reason of the service of such member or staff to the Commission.

(4) AUTHORITY TO CONTRACT.—

(A) IN GENERAL.—The Commission is authorized to enter into contracts, leases, or other legal agreements with Federal and State agencies, Indian tribes, Tribal entities, private entities, and individuals for the conduct of activities necessary to the discharge of its duties.

(B) TERMINATION.—A contract, lease, or other legal agreement entered into by the Commission under this paragraph may not extend beyond the date of termination of the Commission.

(5) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission under this section.

(6) OFFICE SPACE AND ADMINISTRATIVE SUPPORT.—The Architect of the Capitol shall make office space available for day-to-day activities of the Commission and for scheduled meetings of the Commission. Upon request, the Architect of the Capitol shall provide, on a reimbursable basis, such administrative support as the Commission requests to carry out its duties.

(7) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services as the Commission requests to carry out its duties.

(B) FEDERAL DEPARTMENTS AND AGENCIES.—Federal departments and agencies may provide to the Commission such services, funds, facilities, staff, and other support services as such departments and agencies consider advisable and as may be authorized by law.

(i) STAFF.—

(1) DIRECTOR.—The Chairperson, in consultation with the Vice-Chairperson, and in accordance with rules agreed upon by the Commission, may appoint a staff director.

(2) STAFF.—With the approval of the Commission, the staff director may appoint such employees as the staff director determines necessary to enable the Commission to carry out its duties.

(3) STAFF QUALIFICATIONS.—The staff director shall ensure employees of the Commission have relevant counterterrorism expertise and experience, including in areas such as diplomacy, law enforcement, the Armed Forces, law, public administration, Congress, intelligence, academia, human rights, civil rights, or civil liberties.

(3) APPOINTMENTS AND COMPENSATION.—The Commission may appoint and fix the compensation of the staff director and other employees without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of pay for the staff director may not may exceed the equivalent of that payable to a person occupying a position at level IV of the Executive Schedule and the rate of pay for any other employee of the Commission may not exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule.

(4) EXPERTS AND CONSULTANTS.—With the approval of the Chairperson, the staff director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(5) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Commission to assist in carrying out its duties. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of such personnel.

(6) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(j) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the commissioners, including the Chairperson and Vice-Chairperson, and the staff director and other employees, appropriate security clearances to the extent possible pursuant to existing procedures and requirements.

(k) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated for fiscal year 2021 by this Act, $4,000,000 shall be made available for transfer to the Commission for purposes of the activities of the Commission under this section.

(2) DURATION OF AVAILABILITY.—Amounts made available to the Commission under paragraph (1) shall remain available until the until the termination of the Commission.

(l) TERMINATION.—The Commission shall terminate on the date that is 180 days after the date on which the Commission submits the report under subsection (m)(2).

(m) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—The Chairperson, Vice-Chairperson, and staff director of the Commission shall provide quarterly briefings to the appropriate congressional committees, of which not fewer than two briefings shall be for Members of Congress.

(2) REPORT.—

(A) IN GENERAL.—Not later than 540 days after the initial meeting of the Commission under subsection (e), the Commission shall submit to the appropriate congressional committees an unclassified report that includes the following:

(i) The findings, conclusions, and recommendations of the Commission pursuant to the review and assessment under subsection (b).

(ii) Summaries of the input and recommendations of each individual with whom the Commission consulted in accordance with subsection (f), attributed in accordance with the preference expressed by such individual.

(B) CLASSIFIED ANNEX.—The report required under this subsection may include a classified annex.

(C) ADDENDUM.—Pursuant to subsection (h)(3), the Commission shall publish as an addendum to the report under subsection (m)(2) a list of all gifts received and the individual or entity from which such gift was received.

(3) PUBLIC RELEASE.—Not later than seven days after the date on which the Commission submits the report under this subsection, the Commission shall make publicly available such report, with the exception of any classified annex under paragraph (2)(B).

(n) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Finance of the Senate.

(2) DOMESTIC TERRORISM.—The term ''domestic terrorism'' has the meaning given such term in section 2331 of title 18, United States Code.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5304).

(4) INTERNATIONAL TERRORISM.—The term ''international terrorism'' has the meaning given such term in section 2331 of title 18, United States Code.

(5) REGISTERED LOBBYIST.—The term ''registered lobbyist'' means a lobbyist described in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603).

(6) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

AMENDMENT NO. 129 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. __. PROGRAM TO PREVENT, MITIGATE, AND RESPOND TO CIVILIAN HARM AS A RESULT OF MILITARY OPERATIONS IN SOMALIA.

(a) PROGRAM REQUIRED.—

(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, shall develop and implement a program—

(A) to prevent, mitigate, and respond to civilian harm resulting from military operations to counter al-Shabaab or the Islamic State in Somalia (ISIS-Somalia); and

(B) to enhance the ability for Somali civilians to report instances of civilian harm resulting from—

(i) any operations conducted by United States Armed Forces; and

(ii) any operations in which United States Armed Forces provided operational support to the Somali Army or the African Union Mission in Somalia (AMISOM).

(2) COORDINATION.—The program required by this subsection shall be carried out in accordance with—

(A) section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92);

(B) section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note); and

(C) section 1057 of the National Defense Authorization Act for Fiscal Year 2018.

(b) SCOPE OF PROGRAM.—The program required by subsection (a) shall include the following:

(1) Measures in accordance with section 1057 of the National Defense Authorization Act for Fiscal Year 2018 to improve the ability of the Somali National Army, AMISOM, the United States military, and United States contractors to prevent, mitigate, and respond to instances of civilian harm as a result of military operations to counter al-Shabaab or ISIS-Somalia.

(2) Measures in accordance with section 1057 of the National Defense Authorization Act for Fiscal Year 2018 and section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note) to improve coordination among international actors involved in military operations in Somalia, to include AMISOM, with regard to preventing and mitigating civilian casualties, and collecting data and reporting on such incidents when they occur.

(3) Specific measures relating to compliance by Somalia with section 936(b)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note), to include measures to ensure that Somali civilians, including those without reliable access to the internet, and credible local or international nongovernmental organizations, can report civilian harm, including death, injury, or damage to civilian infrastructure, resulting from United States operations and partner operations; and

(4) Measures to ensure that ex gratia payments and other assistance are made available as appropriate in accordance with section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the measures that have been taken to implement the program required by subsection (a).

(2) FORM.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) OPERATIONAL SUPPORT.—The term ''operational support'' means training, advising, commanding, coordinating, participating in the movement of, or accompanying Somali Army or AMISOM forces, providing such forces with medevac or other medical aid, aerial refueling, intelligence, surveillance, or reconnaissance, or close air support for operations.

AMENDMENT NO. 130 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. 127. SENSE OF CONGRESS REGARDING JAPAN AND SMA REPORT DRAFT.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) the United States greatly values its alliance with the Government of Japan, based on shared values of democracy, the rule of law, a rules-based international order, and respect for human rights;

(2) the United States-Japan alliance has been the cornerstone of peace, stability, and security in the Indo-Pacific for more than seven decades;

(3) the United States and Japan are indispensable partners in addressing global challenges, including combating the proliferation of weapons of mass destruction, preventing piracy, assisting the victims of conflict and disaster worldwide, safeguarding maritime security, and ensuring freedom of navigation, commerce, and overflight in the Indo-Pacific region;

(4) the Democratic People's Republic of Korea's (DPRK) nuclear, chemical, and biological weapons programs and ballistic missile programs pose a critical threat to the stability of the Indo-Pacific region and to the security of Japan;

(5) the People's Republic of China's use of military forces to challenge territory under Japan's administrative control violate international norms and thereby threaten regional stability.

(6) the United States reaffirms its commitment to Article V of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, which applies to the Japanese-administered Senkaku Islands;

(7) United States forces forward-deployed in Japan, consisting of 54,000 United States forces, United States Seventh Fleet, the only forward-deployed United States aircraft carrier, and the United States Marine Corps' III Marine Expeditionary Force, are essential to sustaining United States national security and regional peace and stability;

(8) the United States and Japan should continue to deepen defense cooperation to enhance collective defense and regional security;

(9) Japan makes significant contributions to regional and global security, including contributions to regional Ballistic Missile Defense, conducting bilateral presence operations and mutual asset protection missions with United States forces, serving as a capacity building contributor to United Nations peacekeeping operations, and providing critical support to United Nations Security Council Resolution enforcement operations against the DPRK's illicit weapons programs;

(10) the United States recognizes the substantial financial commitments of Japan to the maintenance of United States forces in Japan, including contributions of approximately $2,000,000,000 annually under the Special Measures Agreement, $187,000,000 annually under the Japan Facilities Improvement Program, $12,100,000,000 for the Futenma Replacement Facility, and $4,800,000,000 for Marine Corps Air Station Iwakuni, that directly support operational readiness of United States forces in Japan and make Japan among the most significant burden-sharing partners of the United States; and

(11) it is in the national security interest of the United States that the United States and Japan conclude a new Special Measures Agreement, negotiated based on the principles of mutual respect, equity, and our shared national security interests, prior to the expiration of the current agreement.

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall provide a report on the costs most directly associated with the stationing of United States forces in Japan to the congressional defense committees, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations. At a minimum, the report shall include—

(A) a description of each category of costs, including labor, utilities, training relocation, and any other categories the Secretary determines to be appropriate, that are most directly associated with the stationing of United States forces in Japan;

(B) a detailed description of which costs most directly associated with the stationing of United States forces in Japan are incurred in Japan and which such costs are incurred outside of Japan;

(C) a detailed summary of contributions made by the Government of Japan that allay the costs to United States of stationing United States forces in Japan;

(D) the benefits to United States national security and regional security derived from the forward presence of United States Armed Forces in Japan;

(E) the impact to the national security of the United States, the security of Japan, and peace and stability in the Indo-Pacific region if a new Special Measures Agreement is not reached before March 31, 2021; and

(F) any other matters the Secretary deems appropriate to include.

(2) FORM.—The report shall be unclassified without any designation relating to dissemination control, but may include a classified annex.

AMENDMENT NO. 131 OFFERED BY MS. ESHOO OF CALIFORNIA

At the end of subtitle C of title II, add the following new section:

SEC. 2_____. REPORTING ON CONTRIBUTION OF DEVELOPMENT OF ARTIFICIAL INTELLIGENCE STANDARDS.

Subsection (b) of section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following paragraph:

''(11) A description of efforts of the Center and the Department of Defense to develop or contribute to the development of artificial intelligence standards, including—

''(A) the participation of the Center and the Department of Defense in international and multistakeholder standard-setting bodies; and

''(B) collaboration between the Center and Department of Defense and—

''(i) other organizations and elements of the Department of Defense (including the Defense Agencies and the military departments);

''(ii) agencies of the Federal Government; and

''(iii) private industry (including the defense industrial base).''.

AMENDMENT NO. 132 OFFERED BY MS. ESCHOO OF CALIFORNIA

At the end of subtitle B of title IX, add the following new section:

SEC. 9_____. REPORTING ON POST-JAIC ASSIGNMENT.

Subsection (b) of section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following paragraph:

''(11) For each uniformed service member who concluded an assignment supporting the Center in the previous six months, a position description of the billet that the service member transitioned into.''.

AMENDMENT NO. 133 OFFERED BY MR. EVANS OF PENNSYLVANIA

At the end of subtitle D of title VIII, add the following new section:

SEC. 8____. EXTENSION OF PARTICIPATION IN 8(A) PROGRAM.

(a) IN GENERAL.—The Administrator of the Small Business Administration shall ensure that a small business concern participating in the program established under section 8(a) of the Small Business Act (15 U.S.C. 637) on or before March 13, 2020, may elect to extend such participation by a period of 1 year, regardless of whether such concern previously elected to suspend participation in such program pursuant to guidance of the Administrator.

(b) EMERGENCY RULEMAKING AUTHORITY.—Not later than 15 days after the date of enactment of this section, the Administrator shall issue regulations to carry out this section without regard to the notice requirements under section 553(b) of title 5, United States Code.

AMENDMENT NO. 134 OFFERED BY MS. FINKENAUER OF IOWA

At the end of subtitle B of title II, add the following new section:

SEC. 2____. MODIFICATION OF MECHANISMS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS.

Section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2358 note) is amended—

(1) in subsection (a)(2), by inserting ''training,'' after ''management,'';

(2) in subsection (e)—

(A) in paragraph (28) by striking ''Infrastructure resilience'' and inserting ''Additive manufacturing'';

(B) by redesignating paragraph (30) as paragraph (33); and

(C) by inserting after paragraph (29) the following new paragraphs:

''(30) Corrosion prevention and control.

''(31) Advanced manufacturing for metal casting.

''(32) 3D and virtual technology training platforms.'';

(3) by redesignating subsections (f) and (g) as subsection (g) and (h), respectively;

(4) by inserting after subsection (e) the following new subsection:

''(f) REQUIREMENT TO ESTABLISH CONSORTIA.—

''(1) IN GENERAL.—In carrying out subsection (a)(1)—

''(A) the Secretary of Defense shall seek to establish at least one multi-institution consortium through the Office of the Secretary of Defense;

''(B) the Secretary of the Army shall seek to establish at least one multi-institution consortium through the Army;

''(C) the Secretary of the Navy shall seek to establish at least one multi-institution consortium through the Navy; and

''(D) the Secretary of the Air Force shall seek to establish at least one multi-institution consortium through the Air Force.

''(2) REPORT REQUIRED.—Not later than September 30, 2022, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the efforts to establish consortia under paragraph (1).''; and

(5) in subsection (g), as so redesignated, by striking ''2022'' and inserting ''2026''.

AMENDMENT NO. 135 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title XXVIII, add the following new section:

SEC. 28____. IMPROVED DEPARTMENT OF DEFENSE AND LANDLORD RESPONSE TO IDENTIFICATION AND REMEDIATION OF SEVERE ENVIRONMENTAL HEALTH HAZARDS IN MILITARY HOUSING.

(a) DEFINITIONS.—In this section:

(1) The terms ''landlord'', ''privatized military housing'', and ''tenant'' have the meanings given those terms in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note).

(2) The term ''severe environmental health hazard'' means asbestos, radon, lead, and such other hazardous substances as the Secretary of Defense may designate.

(b) GUIDANCE REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary of Defense shall issue guidance regarding hazard assessments conducted under section 3052(b) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 10 U.S.C. 2821 note) subsection (b) and under the process developed under section 3053(a) of such Act (10 U.S.C. 2821 note) to improve Department of Defense and landlord identification and resolution of severe environmental health hazards in housing under the jurisdiction of the Department of Defense (including privatized military housing).

(2) TESTING AND INSPECTION REQUIREMENTS.—The guidance issued under this subsection shall specifically require, on an annual basis or at more frequent intervals as the Secretary considers appropriate, the following:

(A) Testing in housing under the jurisdiction of the Department of Defense (including privatized military housing) for known severe environmental health hazards.

(B) Inspections of such housing to determine the efficacy of mitigation or encapsulation measures regarding severe environmental health hazards. Such inspections shall be performed by qualified home inspectors (as described in section 3051(d) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 10 U.S.C. 2821 note) and adhere to recognized industry practices and standards.

(3) ADDITIONAL REQUIREMENT FOR LEAD ENCAPSULATION.—The guidance issued under this subsection shall specifically require that testing of the integrity of lead encapsulation will be performed on an emergency basis at the request of the affected tenant.

(4) PROMPT NOTIFICATION REQUIREMENT.—The results of testing and inspections described in paragraphs (2) and (3) shall be shared with the tenant of the affected housing within 48 hours after receipt of the results by the housing management office of the military installation for which the housing is provided, the installation commander, or the landlord, whichever occurs first.

(5) ALTERNATIVE HOUSING.—The Secretary of the military department concerned shall provide alternative housing to affected tenants until any discrepancies are resolved, as provided in the department's displaced tenants policy.

(c) ADDITIONAL PROTECTIONS FOR CERTAIN MEMBERS.—Members of the Armed Forces assigned to a military installation who are required to reside in on-installation housing (including privatized military housing on the installation) because of the members' essential status shall be provided the following information before occupying the housing (and, in the case of privatized military housing, signing lease documents):

(1) The most recent results of testing and inspections described in paragraphs (2) and (3) of subsection (b) regarding the housing.

(2) If any of the tests and inspections were positive, information on the mitigation or encapsulation measures in place in the housing.

(3) Information on required maintenance of mitigation measures.

AMENDMENT NO. 136 OFFERED BY MRS. FLETCHER OF TEXAS

At the end of subtitle F of title V, insert the following:

SEC. 5____. CONTINUED PARTICIPATION OF SEPARATED MEMBERS OF THE ARMED FORCES IN SKILLBRIDGE PROGRAMS.

Section 1143(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) In the case of an eligible member who enrolls in a program under this subsection and who is discharged or released from active duty in the armed forces before the completion of the program, such member may continue to participate in the program until the completion of the program. The continued participation of such a member in such a program shall have no effect on the discharge or separation date of the member or the eligibility of the member for any pay or benefits.''.

AMENDMENT NO. 137 OFFERED BY MR. FORTENBERRY OF NEBRASKA

At the end of subtitle G of title XII, add the following:

SEC. __. SENSE OF CONGRESS RELATING TO GRAND ETHIOPIAN RENAISSANCE DAM.

It is the sense of Congress that it is in the best interests of the stability of the region for Egypt, Ethiopia, and Sudan to immediately reach a just and equitable agreement regarding the filling and operation of the Grand Ethiopian Renaissance Dam.

AMENDMENT NO. 138 OFFERED BY MS. FOXX OF NORTH CAROLINA

Add at the end of subtitle B of title VIII the following new section:

SEC. 8___. GUIDELINES AND RESOURCES ON THE ACQUISITION OR LICENSING OF INTELLECTUAL PROPERTY.

Section 2322 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) GUIDELINES AND RESOURCES.—

''(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall develop guidelines and resources on the acquisition or licensing of intellectual property, including—

''(A) model forms for specially negotiated licenses described under section 2320(f) (as appropriate); and

''(B) an identification of definitions, key terms, examples, and case studies that resolve ambiguities in the differences between—

''(i) detailed manufacturing and process data;

''(ii) form, fit, and function data; and

''(iii) data required for operations, maintenance, installation, and training.

''(2) CONSULTATION.—In developing the guidelines and resources described in paragraph (1), the Secretary shall regularly consult with appropriate stakeholders, including large and small businesses, traditional and non-traditional contractors (including subcontractors), and maintenance repair organizations.''.

AMENDMENT NO. 139 OFFERED BY MS. FRANKEL OF FLORIDA

Page 1106, line 16, strike ''and''.

Page 1106, line 21, strike the period and insert ''; and''.

Page 1106, after line 21, insert the following new paragraph:

(6) including Department of Defense personnel who are women in security cooperation activities of the United States conducted abroad.

Page 1107, after line 8, insert the following new subsections and redesignate the subsequent subsections accordingly:

(e) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State—

(A) shall direct and carry out a pilot program to conduct partner country assessments referred to in subsection (d) on barriers to the participation of women in the national security forces of participating partner countries (in this subsection referred to as a ''pilot barrier assessment'');

(B) in carrying out such pilot program, shall seek to enter into contracts with nonprofit organizations or federally funded research and development centers independent of the Department of Defense for the purpose of conducting the pilot barrier assessments; and

(C) after a pilot barrier assessment is conducted, shall—

(i) review the methods of research and analysis used by any entity contracted with pursuant to subparagraph (B) in conducting such assessment and identify lessons learned from the review; and

(ii) assess the ability of the Department of Defense to conduct future pilot barrier assessments without entering into a contract pursuant to subparagraph (B), including by assessing potential costs and benefits for the Department that may arise from conducting such future assessments.

(2) SELECTION OF COUNTRIES.—

(A) IN GENERAL.—The Secretary of Defense, in consultation with the commanders of the combatant commands and relevant United States ambassadors, shall select one partner country from within the geographic area of responsibility of each geographic combatant command for participation in the pilot program.

(B) CONSIDERATION.—In making the selection under subparagraph (A), the demonstrated political commitment of the partner country to increasing the participation of women in the security sector and the national security priorities and theater campaign strategies of the United States shall be considered.

(3) PILOT BARRIER ASSESSMENT.—A pilot barrier assessment under this subsection shall be—

(A) adapted to the local context of the partner country being assessed;

(B) conducted in collaboration with the security sector of the partner country being assessed; and

(C) based on tested methodologies.

(4) FINDINGS.—

(A) IN GENERAL.—The Secretary of Defense should use findings from each pilot barrier assessment to inform effective security cooperation activities and security sector assistance interventions by the United States in the partner country assessed. Such activities and interventions shall substantially increase opportunities for the recruitment, employment, development, retention, deployment, and promotion of women in the national security forces of such partner country (including for deployments to peace operations and for participation in counterterrorism operations and activities).

(B) MODEL METHODOLOGY.—The Secretary of Defense, in coordination with the Secretary of State, shall develop a model barrier assessment methodology from the findings of the pilot program for use across the geographic combatant commands.

(5) REPORTS ON PILOT PROGRAM.—

(A) INITIAL REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress an initial report on the implementation of the pilot program under this subsection, including an identification of the partner counties selected for participation in the program and the justifications for such selections.

(B) UPDATE TO REPORT.—Not later than two years after the date on which the initial report under subparagraph (A) is submitted, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress an update to the initial report.

(C) REPORT ON METHODOLOGY.—On the date on which the Secretary of Defense determines the pilot program to be complete, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a report on the model barrier assessment methodology developed under paragraph (4)(B).

(f) BUILDING UNITED STATES CAPACITY.—

(1) MILITARY SERVICE ACADEMIES.—Consistent with subsection (c)(6), the Secretary of Defense shall make every effort to encourage the admission of diverse individuals (including individuals who are women) to each military service academy, including by—

(A) establishing programs that hold commanding officers accountable for removing biases with respect to such individuals;

(B) ensuring that each military service academy fosters a zero tolerance environment for harassment towards such individuals; and

(C) ensuring that each military service academy fosters equal opportunities for growth that enable the full participation of such individuals in all training programs, career tracks, and elements of the Department, especially in elements of the Armed Forces previously closed to women, such as infantry and special operations forces.

(2) PARTNERSHIPS WITH SCHOOLS AND NONPROFIT ORGANIZATIONS.—The Secretary of Defense shall make every effort to enter into partnerships with elementary schools, secondary schools, postsecondary educational institutions, and nonprofit organizations, to support activities relating to the implementation of the Women, Peace, and Security Act of 2017.

Page 1108, line 7, strike ''and''.

Page 1108, line 11, strike the period and insert ''; and''.

Page 1108, after line 11, insert the following new paragraph:

(4) build the capacity of the Department to conduct the partner country assessments referred to in subsection (d).

Page 1109, after line 13, insert the following new paragraphs:

(3) The terms ''elementary school'' and ''secondary school'' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) The term ''postsecondary educational institution'' has the meaning given that term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

AMENDMENT NO. 140 OFFERED BY MS. GABBARD OF HAWAII

At the end of subtitle E of title XVII, add the following new section:

SEC. 1762. HEMP PRODUCTS.

(a) USE OF HEMP PRODUCTS.—The Secretary of Defense may not prohibit, on the basis of a product containing hemp or any ingredient derived from hemp, the possession, use, or consumption of such product by a member of the Armed Forces if—

(1) the hemp meets the definition in section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o); and

(2) such possession, use, or consumption is in compliance with applicable Federal, State, and local law.

(b) DOD DIRECTIVES ON INVESTMENT AND EMPLOYMENT WITH RESPECT TO HEMP OR HEMP-DERIVED PRODUCTS.—The Secretary of Defense may not use any funds authorized to be appropriated by this Act to prevent any member of the Armed Forces, including any reserve component thereof, or any member of the National Guard, from investing in, or being employed by, an entity engaged in growing, in accordance with Federal law, hemp or hemp-derived products.

AMENDMENT NO. 141 OFFERED BY MS. GABBARD OF HAWAII

At the end of subtitle G of title XII, add the following:

SEC. __. REPORT ON ALL COMPREHENSIVE SANCTIONS IMPOSED ON FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Administrator of the United States Agency for International Development, the United States Ambassador to the United Nations, and relevant nongovernmental organizations, shall submit to the appropriate congressional committees a report on all comprehensive sanctions imposed on governments of foreign countries under any provision of law.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) an assessment of the effect of sanctions imposed on the government of each foreign country described in subsection (a) on—

(A) the ability of civilian population of the country to access water, sanitation, and public health services;

(B) the changes to the general mortality rate, maternal mortality rate, life expectancy, and literacy;

(C) the environmental impacts experienced by the country that may be associated with the sanctions, to include fossil fuel usage;

(D) the delivery of economic aid and development projects in the country;

(E) the extent to which there is an increase in refugees or migration to or from the country or an increase in internally displaced people in the country;

(F) the economic, political, and military impacts on the country;

(G) the reactions of the country to the imposed sanctions, including policy changes and internal sentiment;

(H) the degree of international compliance and non-compliance of the country; and

(I) the licensing of transactions to allow access to essential goods and services to vulnerable populations, including women, children, elderly individuals, and individuals with disabilities; and

(2) a description of the purpose of sanctions imposed on the government of each foreign country described in subsection (a) and the required legal or political authority, including—

(A) an assessment of United States national security;

(B) an assessment of whether the stated foreign policy goals of the sanctions are being met;

(C) the degree of international support or opposition that can be anticipated;

(D) an assessment of such sanctions on United States businesses and consumers;

(E) criteria for lifting the sanctions; and

(F) prospects for commitment to enforcing the sanctions.

(c) UPDATES OF REPORT.—The President shall submit to Congress an updated report under subsection (a)—

(1) not later than one year after the date of the enactment of this Act, and annually thereafter for 10 years; and

(2) with respect to a new comprehensive sanction imposed on a government of a foreign country under any provision of law, not later than 180 days after the date on which the sanctions are imposed on the government.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be published on a publicly-available website of the Government of the United States.

(e) REVIEW BY CONGRESS.—Upon receipt of the report required by subsection (a), Congress shall examine the report with a focus on the humanitarian impacts of comprehensive sanctions described in the report, including with respect to human rights, medical services, food and malnutrition and access to water, sanitation, and hygiene services.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate.

(2) COMPREHENSIVE SANCTION.—The term ''comprehensive sanctions'' means any prohibition on significant commercial and financial activity with a foreign government that is imposed by the United States for reasons of foreign policy or national security.

AMENDMENT NO. 142 OFFERED BY MS. GABBARD OF HAWAII

Add at the end of subtitle E of title XVII the following:

SEC. 1762. EXEMPTION FROM PAPERWORK REDUCTION ACT.

(a) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—Chapter 104 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2117. Exemption from Paperwork Reduction Act

''Subchapter I of chapter 35 of title 44 shall not apply to the voluntary collection of information during the conduct of research by the University.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2116 the following new item:

''2117. Exemption from Paperwork Reduction Act.''.

AMENDMENT NO. 144 OFFERED BY MS. GABBARD OF HAWAII

At the end of subtitle C of title V, insert the following:

SEC. 5___. REPORT ON BAD PAPER.

(a) REPORT REQUIRED.—Not later than September 1, 2021, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding bad paper issued by the Department of Defense during the 20 years preceding the date of the report.

(b) ELEMENTS.—The report shall include, with regards to members who received bad paper, the following, if known:

(1) Sex.

(2) Age.

(3) Religion.

(4) Race.

(5) Ethnicity.

(6) Tribal affiliation.

(7) Sexual orientation.

(8) Reasons for discharge or dismissal.

(9) In a case of a bad conduct or medical discharge, whether there is evidence the member suffered symptoms of sexual trauma, including—

(A) post-traumatic stress disorder;

(B) going absent without leave or on unauthorized absence;

(C) inability to complete duties or carry out orders;

(D) insubordination;

(E) substance abuse;

(F) or substance addiction;

(10) Whether the member had filed a complaint within the chain of command regarding—

(A) fraud, waste, or abuse of Federal funds;

(B) a violation of military or Federal law;

(C) a violation of the Uniform Code of Military Justice;

(D) sexual assault;

(E) sexual harassment;

(F) sexual abuse;

(G) sexual trauma; or

(H) discrimination on the basis of sex, age, religion, race, ethnicity, Tribal affiliation, or sexual orientation.

(11) Armed Force.

(12) Any other information the Inspector General determines appropriate.

(c) INTERVIEWS.—To prepare report under this section, the Inspector General may interview veterans or other former members of the Armed Forces.

(d) BAD PAPER DEFINED.—In this section, ''bad paper'' means a discharge or dismissal from the Armed Forces characterized as—

(1) dishonorable;

(2) bad conduct; or

(3) other than honorable.

AMENDMENT NO. 145 OFFERED BY MR. GALLAGHER OF WISCONSON

At the end of subtitle A of title XVII, add the following:

SEC. 1706. GAO REPORT ON ZTE COMPLIANCE WITH SETTLEMENT AGREEMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the compliance of Zhongxing Telecommunications Equipment Corporation and ZTE Kangxun Telecommunications Ltd. (collectively referred to in this section as ''ZTE'') with the Superseding Settlement Agreement and Superseding Order reached with the Department of Commerce on June 8, 2018 (in this section referred to as the ''agreement'').

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a comprehensive analysis of the following:

(1) The level of compliance by ZTE, past and present, with the obligations of ZTE under the agreement.

(2) The transparency and candor of ZTE in representing such level of compliance.

(3) Efforts by the United States Government to monitor, report on, and ensure compliance by ZTE with the agreement.

(4) Whether any actions taken by ZTE since June 8, 2018, constitute a material breach of the obligations of ZTE under the agreement.

(5) Recommended courses of action for the United States Government to improve compliance by ZTE with the agreement or to respond to a material breach of the obligations of ZTE under the agreement.

AMENDMENT NO. 146 OFFERED BY MR. GALLAGHER OF WISCONIN

At the end of subtitle C of title VIII, add the following new section:

SEC. 8___. BRIEFING ON THE SUPPLY CHAIN FOR SMALL UNMANNED AIRCRAFT SYSTEM COMPONENTS.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator of the National Aeronautics and Space Administration, shall provide to the appropriate congressional committees a briefing on the supply chain for small unmanned aircraft system components, including a discussion of current and projected future demand for small unmanned aircraft system components.

(b) ELEMENTS.—The briefing under subsection (a) shall include the following:

(1) The sustainability and availability of secure sources of critical components domestically and from sources in allied and partner nations.

(2) The cost, availability, and quality of secure sources of critical components and other relevant information domestically and from sources in allied and partner nations.

(3) The plan of the Department of Defense to address any gaps or deficiencies presented in paragraphs (1) and (2), including through the use of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other public and private stakeholders.

(4) Such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation of the Senate.

(2) SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''small unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given, respectively, in section 44801 of title 49, United States Code.

AMENDMENT NO. 147 OFFERED BY MR. GALLAGHER OF WISCONSIN

Add at the end of subtitle C of title VIII the following:

SEC. 8___. PROHIBITION ON PROCUREMENT OR OPERATION OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

(a) PROHIBITION ON PROCUREMENT.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the head of an executive agency may not procure any commercial off-the-shelf drone or covered unmanned aircraft, or any component thereof for use in such a drone or unmanned aircraft, that is manufactured or assembled by a covered foreign entity, including any flight controllers, radios, core processors, printed circuit boards, cameras, or gimbals.

(2) EXEMPTION.—The Secretary of Homeland Security and the Secretary of Defense are exempt from the requirements of paragraph (1) if the operation or procurement—

(A) is for the purposes of training, testing, or analysis for—

(i) counter-UAS system surrogate intelligence;

(ii) electronic warfare; or

(iii) information warfare operations; and

(B) is required in the national interest of the United States.

(3) PROCUREMENT OF PRINTED CIRCUIT BOARDS.—

(A) IN GENERAL.—Beginning in fiscal year 2023, the head of an executive agency shall require that any contractor or subcontractor that provides printed circuit boards for use in covered unmanned aircraft or commercial off-the-shelf drones to certify that, of the total value of the printed circuit boards provided by such contractor or subcontractor pursuant to a contract with an executive agency, not more than the percentages set forth in subparagraph (B) were manufactured and assembled by a covered foreign entity.

(B) PERCENTAGES.—In making a certification under subsection (a), a contractor or subcontractor shall use the following percentages:

(i) During fiscal years 2023 through 2027, the lesser of—

(I) 50 percent; or

(II) 25 percent, if the relevant head of an executive agency has determined that suppliers other than covered foreign entities are capable of supplying 75 percent of the requirements of the executive agency for printed circuit boards.

(ii) During fiscal years 2028 through 2032, the lesser of—

(I) 25 percent; or

(II) Zero percent, if the relevant head of an executive agency has determined that suppliers other than covered foreign entities are capable of supplying 100 percent the requirements of the executive agency for printed circuit boards.

(C) REMEDIATION.—

(i) IN GENERAL.—If a contractor or subcontractor is unable to make the certification required under subparagraph (A), the head of an executive agency may accept printed circuit boards from such contractor or subcontractor for up to one year while requiring the contractor to complete a remediation plan. Such plan shall be submitted to Congress and shall require the contractor or subcontractor that failed to make the certification required under subparagraph (A) to—

(I) audit its supply chain to identify any areas of security vulnerability; and

(II) meet the requirements of subparagraph (A) within one year after the initial missed certification deadline.

(ii) RESTRICTION.—No contractor or subcontractor that has supplied printed circuit boards while under a remediation plan shall be eligible to enter into another remediation plan under subparagraph (C) for a period of five years.

(iii) WAIVER.—The head of an executive agency may waive the requirement under subparagraph (A) with respect to a contractor or subcontractor if the head of an executive agency determines that—

(I) there are no significant national security concerns regarding counterfeiting, quality, or unauthorized access created by accepting printed circuit boards under such waiver; and

(II) the contractor is otherwise in compliance with all cybersecurity requirements applicable to such contractor under Federal laws or regulations.

(iv) AVAILABILITY EXCEPTION.—Subparagraph (A) shall not apply to the extent that the head of an executive agency determines that printed circuit boards of satisfactory quality and sufficient quantity, in the required form, cannot be procured as and when needed from entities that are not covered foreign entities.

(4) WAIVER.—The head of an executive agency may waive the prohibition under paragraph (1), except with respect to a contract to procure printed circuit boards for use in covered unmanned aircraft or commercial off-the-shelf drones, on a case-by-case basis with the approval of the Secretary of Homeland Security or the Secretary of Defense and notification to Congress.

(5) COMPONENT PROHIBITION APPLICABILITY.—Except as otherwise provided in this subsection, the prohibition under paragraph (1) regarding components of commercial off-the-shelf drones or covered unmanned aircraft shall apply only to contracts for the procurement of such components that are entered into on or after the date that is 2 years after the date of the enactment of this Act.

(b) PROHIBITION ON OPERATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, the head of an executive agency may not operate a commercial off-the-shelf drone or covered unmanned aircraft manufactured or assembled by a covered foreign entity.

(B) PHASE-IN PERIOD FOR EXISTING CONTRACTS.—The prohibition under subparagraph (A) shall not apply, during the 1-year period beginning on the date of the enactment of this Act, to commercial off-the-shelf drones and covered unmanned aircraft procured through a contract entered into before the date of the enactment of this Act.

(2) EXEMPTION.—The Secretary of Homeland Security and the Secretary of Defense are exempt from the restriction under paragraph (1) if the operation—

(A) is for the purposes of training, testing, or analysis for—

(i) counter-UAS system surrogate intelligence;

(ii) electronic warfare; or

(iii) information warfare operations; and

(B) is required in the national interest of the United States.

(3) WAIVER.—The head of an executive agency may waive the prohibition under paragraph (1) on a case-by-case basis with the approval of the Secretary of Homeland Security or the Secretary of Defense and notification to Congress.

(4) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Secretary of Homeland Security, Secretary of Transportation, the Attorney General, and such other Federal departments and agencies as determined by the Director of the Office of Management and Budget, and in consultation with the Under Secretary of Commerce for Standards and Technology, shall establish a Governmentwide policy for the operation of UASs for non-Department of Defense and non-intelligence community operations.

(c) PROHIBITION ON USE OF FEDERAL FUNDS.—The requirements described in subsection (a) shall apply with respect to the use of Federal funds awarded through a contract, grant, or cooperative agreement, or made available to a State or local government, or any subdivision thereof.

(d) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the quantity of commercial off-the-shelf drones and covered unmanned aircraft procured by Federal departments and agencies from covered foreign entities.

(e) INTERACTION WITH OTHER LAW.—Section 848 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2302 note) does not apply with respect to a commercial off-the-shelf drone or covered unmanned aircraft, or any component thereof intended for use in such a drone or unmanned aircraft, to which the provisions of this Act apply.

(f) DEFINITIONS.—In this section:

(1) COMMERCIAL OFF-THE-SHELF DRONE.—The term ''commercial off-the-shelf drone'' means a covered unmanned aircraft that is a commercially available off-the-shelf item (as defined in section 104 of title 41, United States Code).

(2) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means—

(A) a covered entity (as determined by the Secretary of Commerce);

(B) any entity that is subject to extrajudicial direction from a foreign government, as determined by the Director of National Intelligence;

(C) any entity the Secretary of Homeland Security, in coordination with the Director of National Intelligence, the Secretary of Defense, and the Secretary of State, determines poses a national security risk;

(D) any entity subject to influence or control by the Government of the People Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security; and

(E) any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(3) COVERED UNMANNED AIRCRAFT.—The term ''covered unmanned aircraft'' means an unmanned aircraft or unmanned aircraft system as such terms are defined, respectively, in section 44801 of title 49, United States Code.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given such term in section 105 of title 5, United States Code.

(5) INTELLIGENCE COMMUNITY.—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).

(6) UAS.—The term ''UAS'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

AMENDMENT NO. 148 OFFERED BY MR. GOHMERT OF TEXAS

At the end of subtitle D of title V, add the following new section:

SEC. 5___. PROHIBITION ON CERTAIN COMMUNICATIONS REGARDING COURTS-MARTIAL.

Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice) is amended by adding at the end the following new subsection:

''(g) No individual may provide a briefing concerning a potential or pending court-martial to a member of the armed forces who may be selected to serve on the court-martial.''.

AMENDMENT NO. 149 OFFERED BY MR. GOLDEN OF MAINE

At the end of subtitle C of title VII, add the following new section:

SECTION _____. PANDEMIC HEALTH ASSESSMENTS EVALUATE EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS.

(a) EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS OR OTHER AIRBORNE CONTAMINANTS AS PART OF HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES AND VETERANS DURING A PANDEMIC AND INCLUSION OF INFORMATION IN REGISTRY.—

(1) HEALTH ASSESSMENT.—The Secretary of Defense and Secretary of Veterans Affairs shall ensure that the first health assessment conducted for a member of the Armed Forces or veteran after the individual tested positive for a virus certified by the Federal Government as a pandemic includes an evaluation of whether the individual has been—

(A) based or stationed at a location where an open burn pit was used; or

(B) exposed to toxic airborne chemicals or other airborne contaminants relating to service in the Armed Forces, including an evaluation of any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(2) INCLUSION OF INDIVIDUALS IN REGISTRY.—If an evaluation conducted under paragraph (1) with respect to an individual establishes that the individual was based or stationed at a location where an open burn pit was used, or that the individual was exposed to toxic airborne chemicals or other airborne contaminants, the individual shall be enrolled in the Airborne Hazards and Open Burn Pit Registry unless the member elects to not enroll in such registry.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to preclude eligibility of a veteran for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the history of exposure of the veteran to an open burn pit not being recorded in an evaluation conducted under paragraph (1).

(4) DEFINITIONS.—In this subsection:

(A) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(B) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 126 Stat. 2422; 38 U.S.C. 527 note).

(b) STUDY ON IMPACT OF VIRAL PANDEMICS ON MEMBERS OF ARMED FORCES AND VETERANS WHO HAVE EXPERIENCED TOXIC EXPOSURE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a study, through the Airborne Hazards and Burn Pits Center of Excellence (in this subsection referred to as the ''Center''), on the health impacts of infection with a virus designated as a global pandemic, including a coronavirus, to members of the Armed Forces and veterans who have been exposed to open burn pits and other toxic exposures for the purposes of understanding the health impacts of the virus and whether individuals infected with the virus are at increased risk of severe symptoms due to previous conditions linked to toxic exposure.

(2) PREPARATION FOR FUTURE PANDEMIC.—The Secretary, through the Center, shall analyze potential lessons learned through the study conducted under paragraph (1) to assist in preparing the Department of Veterans Affairs for potential future pandemics.

(3) DEFINITIONS.—In this subsection:

(A) CORONAVIRUS.—The term ''coronavirus'' has the meaning given that term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123).

(B) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 126 Stat. 2422; 38 U.S.C. 527 note).

AMENDMENT NO. 150 OFFERED BY MR. GOLDEN OF MAINE

Page 470, after line 6, insert the following:

SEC. 626. GOLD STAR FAMILIES PARKS PASS.

(a) SHORT TITLE.—This section may be referred to as the ''Gold Star Families Parks Pass Act''.

(b) GOLD STAR FAMILIES PARKS PASS.—Section 805(b) of division J of the Consolidated Appropriations Act, 2005 (16 U.S.C. 6804(b); 118 Stat. 3386), is amended by adding at the end the following new paragraph:

''(3) GOLD STAR FAMILIES PARKS PASS.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at no cost, to members of Gold Star Families, as defined by section 3.2 of Department of Defense Instruction 1348.36.''.

AMENDMENT NO. 151 OFFERED BY MR. GONZALEZ OF OHIO

Page 1115, after line 5, insert the following:

Subtitle F—Accountability for World Bank Loans to China

SEC. 1771. SHORT TITLE.

This subtitle may be cited as the ''Accountability for World Bank Loans to China Act of 2019''.

SEC. 1772. FINDINGS.

The Congress finds as follows:

(1) Possessing more than $3,000,000,000,000 in foreign exchange reserves, the People's Republic of China has devoted state resources to establish the Asian Infrastructure Investment Bank, the New Development Bank, and activities under the Belt and Road Initiative, potentially creating rivals to the multilateral development banks led by the United States and its allies.

(2) The International Bank for Reconstruction and Development (IBRD), the World Bank's primary financing institution for middle-income countries, ceases to finance (''graduates'') countries that are able to sustain long-term development without recourse to Bank resources.

(3) The IBRD examines a country's potential graduation when the country reaches the Graduation Discussion Income (GDI), which amounts to a Gross National Income (GNI) per capita of $6,975.

(4) The World Bank calculates China's GNI per capita as equivalent to $9,470.

(5) According to the Center for Global Development, China has received $7,800,000,000 in IBRD commitments since crossing the GDI threshold in 2016.

SEC. 1773. UNITED STATES SUPPORT FOR GRADUATION OF CHINA FROM WORLD BANK ASSISTANCE.

(a) IN GENERAL.—The United States Governor of the International Bank for Reconstruction and Development (IBRD) shall instruct the United States Executive Director at the IBRD that it is the policy of the United States to—

(1) pursue the expeditious graduation of the People's Republic of China from assistance by the IBRD, consistent with the lending criteria of the IBRD; and

(2) until the graduation of China from IBRD assistance, prioritize projects in China that contribute to global public goods, to the extent practicable.

(b) SUNSET.—Subsection (a) shall have no force or effect on or after the earlier of—

(1) the date that is 7 years after the date of the enactment of this Act; or

(2) the date that the Secretary of the Treasury reports to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that termination of subsection (a) is important to the national interest of the United States, with a detailed explanation of the reasons therefor.

SEC. 1774. ACCOUNTABILITY FOR WORLD BANK LOANS TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the United States Governor of the International Bank for Reconstruction and Development (in this section referred to as the ''IBRD'') shall submit the report described in subsection (b) to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate.

(b) REPORT DESCRIBED.—The report described in this subsection shall include the following:

(1) A detailed description of the efforts of the United States Governor of the IBRD to enforce the timely graduation of countries from the IBRD, with a particular focus on the efforts with regard to the People's Republic of China.

(2) If the People's Republic of China is a member country of the IBRD, an explanation of any economic or political factors that have prevented the graduation of the People's Republic of China from the IBRD.

(3) A discussion of any effects resulting from fungibility and IBRD lending to China, including the potential for IBRD lending to allow for funding by the government of the People's Republic of China of activities that may be inconsistent with the national interest of the United States.

(4) An action plan to help ensure that the People's Republic of China graduates from the IBRD within 2 years after submission of the report, consistent with the lending eligibility criteria of the IBRD.

(c) WAIVER OF REQUIREMENT THAT REPORT INCLUDE ACTION PLAN.—The Secretary of the Treasury may waive the requirement of subsection (b)(4) on reporting to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the waiver is important to the national interest of the United States, with a detailed explanation of the reasons therefor.

SEC. 1775. ENSURING DEBT TRANSPARENCY WITH RESPECT TO THE BELT AND ROAD INITIATIVE.

Within 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall, in consultation with the Secretary of State, submit to the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the

Senate a report (which should be submitted in unclassified form but may include a classified annex) that includes the following:

(1) An assessment of the level of indebtedness of countries receiving assistance through the Belt and Road Initiative that are also beneficiary countries of the international financial institutions, including the level and nature of indebtedness to the People's Republic of China or an entity owned or controlled by the government of the People's Republic of China.

(2) An analysis of debt management assistance provided by the World Bank, the International Monetary Fund, and the Office of Technical Assistance of the Department of the Treasury to borrowing countries of the Belt and Road Initiative of the People's Republic of China (or any comparable initiative or successor initiative of China).

(3) An assessment of the effectiveness of United States efforts, including bilateral efforts and multilateral efforts, at the World Bank, the International Monetary Fund, other international financial institutions and international organizations to promote debt transparency.

AMENDMENT NO. 152 OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO RICO

At the end of subtitle E of title XVII, insert the following:

SEC. ____. SUPPORT FOR THE DESIGNATION OF NATIONAL BORINQUENEERS DAY.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) in 1898, Puerto Rico became a territory of the United States and, the following year, Congress authorized raising a military unit of volunteer soldiers on the island, which was organized as the ''Puerto Rico Regiment of Volunteer Infantry'';

(2) in 1908, Congress incorporated the regiment as part of the regular United States Army as the ''Puerto Rico Regiment of Infantry'';

(3) in 1917, after the United States entry into World War I, the Puerto Rico Regiment of Infantry was sent to Panama to defend the Panama Canal Zone;

(4) in 1920, Congress redesignated the unit as the 65th Infantry Regiment of the United States Army;

(5) during World War II, the 65th Infantry Regiment served in North Africa and Europe, including combat operations in France and Germany for which members of the unit received commendations for valiant service, including 1 Distinguished Service Cross, 2 Silver Stars, 2 Bronze Stars, and 90 Purple Hearts;

(6) in 1950, the 65th Infantry Regiment deployed to South Korea, and during the voyage the soldiers nicknamed the unit the ''Borinqueneers'', a reference to the native Taíno Tribe's name for the island of Puerto Rico;

(7) during the Korean war, the 65th Infantry Regiment (hereinafter, the ''Borinqueneers'') engaged in substantial combat operations on the Korean Peninsula, and the unit played a central role in several important offensives and counter-offensives that earned it well-deserved admiration and commendation;

(8) the Borinqueneers' extraordinary service during the Korean war resulted in the Regiment receiving 2 Presidential Unit Citations (Army and Navy), 2 Republic of Korea Presidential Unit Citations, a Meritorious Unit Commendation (Army), a Navy Unit Commendation, the Chryssoun Aristion Andrias (Bravery Gold Medal of Greece), and campaign participation credits for United Nations Offensive, Chinese Communist Forces (CCF) Intervention, First United Nations Counteroffensive, CCF Spring Offensive, United Nations Summer-Fall Offensive, Second Korean Winter, Korea Summer-Fall 1952, Third Korean Winter, and Korea Summer 1953;

(9) the Borinqueneers' extraordinary service during the Korean war also resulted in numerous individual commendations and awards for its soldiers, including 1 Medal of Honor, 9 Distinguished Service Crosses, more than 250 Silver Stars, more than 600 Bronze Stars, and more than 2,700 Purple Hearts;

(10) in 1956, the 65th Infantry Regiment was deactivated from the regular United States Army and, in 1959, its units and regimental number were assigned to the Puerto Rico National Guard;

(11) in 1982, the United States Army Center of Military History officially authorized designating the 65th Infantry Regiment as the ''Borinqueneers''; and

(12) on April 13, 2016, Congress awarded the Congressional Gold Medal to the 65th Infantry Regiment in recognition of the Borinqueneers' numerous contributions to American history and outstanding military service from World War I through the recent conflicts in Afghanistan and Iraq.

(b) RESOLUTION.—The House of Representatives—

(1) expresses support for the designation of ''National Borinqueneers Day'';

(2) recognizes the bravery, service, and sacrifice of the Puerto Rican soldiers of the 65th Infantry Regiment in the armed conflicts of the United States in the 20th and 21st centuries;

(3) expresses deep gratitude for the contributions to the Armed Forces that have been made by hundreds of thousands of patriotic United States citizens from Puerto Rico; and

(4) urges individuals and communities across the United States to participate in activities that are designed—

(A) to celebrate the distinguished service of the military veterans who served in the 65th Infantry Regiment, known as the ''Borinqueneers'';

(B) to pay tribute to the sacrifices made and adversities overcome by Puerto Rican and Hispanic military service members; and

(C) to recognize the significant contributions to American history made by the 65th Infantry Regiment, known as the ''Borinqueneers''.

AMENDMENT NO. 153 OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO RICO

At the end of subtitle D of title VII, add the following new section:

SEC. 746. BRIEFING ON EXTENSION OF TRICARE PRIME TO ELIGIBLE BENEFICIARIES IN PUERTO RICO AND OTHER UNITED STATES TERRITORIES.

(a) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the feasibility, benefits, and costs of extending eligibility to enroll in TRICARE Prime to eligible beneficiaries who reside in Puerto Rico and other United States territories.

(b) ELEMENTS.—The briefing under subsection (a) shall provide an assessment specifically tailored to each United States territory and include, at a minimum—

(1) a description and update of the findings contained in the 2019 Department of Defense report on the feasibility and effect of extending TRICARE Prime to eligible beneficiaries residing in Puerto Rico, as required by the conference report accompanying the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

(2) an assessment of whether otherwise eligible beneficiaries residing in Puerto Rico and other United States territories have access to health care that is equivalent, with respect to both quality and cost, to the care available to their counterparts residing in the States and the District of Columbia;

(3) an assessment of the feasibility, benefits, beneficiary satisfaction and costs of extending TRICARE Prime to some, but not all, categories of beneficiaries residing in Puerto Rico and other United States territories; and

(4) an assessment of opportunities to partner with other Federal health care systems to support resources and share costs and services in extending TRICARE Prime in Puerto Rico and the other United States territories.

(c) OTHER UNITED STATES TERRITORIES DEFINED.—In this section, the term ''other United States territories'' means American Samoa, Guam, the Northern Mariana Islands, and the United States Virgin Islands.

AMENDMENT NO. 154 OFFERED BY MR. GOSAR OF ARIZONA

Page 577, line 19, insert ''(a) IN GENERAL.—'' before ''The Secretary''.

Page 578, after line 4, insert the following new subsection:

(b) ELIMINATE DEPENDENCY ON CHINA.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Under Secretary of Defense (Comptroller), the Vice Chairman of the Joint Chiefs of Staff, and the appropriate Under Secretary of State, as designated by the Secretary of State, shall issue guidance to ensure the elimination of the dependency of the United States on rare earth materials from China by fiscal year 2035.

AMENDMENT NO. 155 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle D of title X, insert the following:

SEC. 10____. ANNUAL REPORT ON USE OF SOCIAL MEDIA BY FOREIGN TERRORIST ORGANIZATIONS.

(a) ANNUAL REPORT.—The Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees an annual report on—

(1) the use of online social media platforms by entities designated as foreign terrorist organizations by the Department of State for recruitment, fundraising, and the dissemination of information; and

(2) the threat posed to the national security of the United States by the online radicalization of terrorists and violent extremists.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the appropriate congressional committees are—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 156 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle B of title V, insert the following:

SEC. 5____. QUARANTINE HOUSING FOR MEMBERS OF THE NATIONAL GUARD WHO PERFORM CERTAIN DUTY IN RESPONSE TO THE COVID-19 EMERGENCY.

(a) IN GENERAL.—The Secretary of Defense shall provide, to a member of the National Guard who performs a period of covered duty, housing for not fewer than 14 days immediately after the end of such period of covered duty.

(b) DEFINITIONS.—In this section:

(1) The term ''covered duty'' means full-time National Guard duty performed in response to the covered national emergency.

(2) The term ''covered national emergency'' means the national emergency declared on March 13, 2020, by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19.

(3) The term ''full-time National Guard duty'' has the meaning given that term in section 101 of title 10, United States Code.

AMENDMENT NO. 157 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 237, line 18, after ''sites,'' insert the following: '', and any testing for lead or copper at a Department education activity facility,''.

AMENDMENT NO. 158 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle J of title V, insert the following:

SEC. 5___. ANNUAL REPORT REGARDING COST OF LIVING FOR MEMBERS AND EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 136 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) The Under Secretary of Defense for Personnel and Readiness shall submit annually to the Committees on Armed Services of the Senate and House of Representatives a report containing an analysis of the costs of living, nationwide, for

''(1) members of the Armed Forces on active duty; and

''(2) employees of the Department of Defense.''.

AMENDMENT NO. 159 OFFERED BY MR. GRAVES OF LOUISIANA

At the end of subtitle I of title V, insert the following:

SEC. 5___. ELIGIBILITY OF VETERANS OF OPERATION END SWEEP FOR VIETNAM SERVICE MEDAL.

The Secretary of the military department concerned may, upon the application of an individual who is a veteran who participated in Operation End Sweep, award that individual the Vietnam Service Medal.

AMENDMENT NO. 160 OFFERED BY MR. GRAVES OF LOUISIANA

In subtitle B of title V, add at the end the following:

SEC. ___. NATIONAL GUARD SUPPORT TO MAJOR DISASTERS.

(a) IN GENERAL.—Section 502(f) of title 32, United States Code, is amended—

(1) in paragraph (2), by adding at the end the following:

''(C) Operations or missions authorized by the President or the Secretary of Defense to support large scale, complex, catastrophic disasters, as defined by section 311(3) of title 6, United States Code, at the request of a State governor.''; and

(2) by adding at the end the following:

''(4) With respect to operations or missions described under paragraph (2)(C), there is authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out such operations and missions, but only if—

''(A) an emergency has been declared by the governor of the applicable State; and

''(B) the President has declared the emergency to be a major disaster for the purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.''.

(b) REPORT ON METHODS TO ENHANCE DOMESTIC RESPONSE TO LARGE SCALE, COMPLEX AND CATASTROPHIC DISASTERS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation and coordination with the Federal Emergency Management Agency, the National Security Council, the Council of Governors, and the National Governors Association, shall submit to the congressional defense, the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on their plan to establish policy and processes to implement the authority provided by the amendments made by section 520. The report shall include a detailed examination of the policy framework consistent with existing authorities, identify major statutory or policy impediments to implementation, and make recommendations for legislation as appropriate.

(2) CONTENTS.—The report submitted under paragraph (1) shall include a description of—

(A) the current policy and processes whereby governors can request activation of the National Guard under title 32, United States Code, as part of the response to large scale, complex, catastrophic disasters that are supported by the Federal Government and, if no formal process exists in policy, the Secretary of Defense shall provide a timeline and plan to establish such a policy, including consultation with the Council of Governors and the National Governors Association;

(B) the Secretary of Defense's assessment, informed by consultation with the Federal Emergency Management Agency, the National Security Council, the Council of Governors, and the National Governors Association, regarding the sufficiency of current authorities for the reimbursement of National Guard and Reserve manpower during large scale, complex, catastrophic disasters under title 10 and title 32, United States Code, and specifically whether reimbursement authorities are sufficient to ensure that military training and readiness are not degraded to fund disaster response, or invoking them degrades the effectiveness of the Disaster Relief Fund;

(C) the Department of Defense's plan to ensure there is parallel and consistent policy in the application of the authorities granted under section 12304a of title 10, United States Code, and section 502(f) of title 32, United States Code, including—

(i) a description of the disparities between benefits and protections under Federal law versus State active duty;

(ii) recommended solutions to achieve parity at the Federal level; and

(iii) recommended changes at the State level, if appropriate;

(D) the Department of Defense's plan to ensure there is parity of benefits and protections for military members employed as part of the response to large scale, complex, catastrophic disasters under title 32 or title 10, United States Code, and recommendations for addressing shortfalls; and

(E) a review, by the Federal Emergency Management Agency, of the current policy for, and an assessment of the sufficiency of, reimbursement authority for the use of all National Guard and Reserve, both to the Department of Defense and to the States, during large scale, complex, catastrophic disasters, including any policy and legal limitations, and cost assessment impact on Federal funding.

AMENDMENT NO. 161 OFFERED BY MR. GREEN OF TEXAS

At the end of subtitle A of title XVII, add the following new section:

SEC. 1706. GAO STUDY OF CYBERSECURITY INSURANCE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to assess and analyze the state and availability of insurance coverage in the United States for cybersecurity risks, which shall include—

(1) identifying the number and dollar volume of cyber insurance policies currently in force and the percentage of businesses, and specifically small businesses, that have cyber insurance coverage;

(2) assessing the extent to which States have established minimum standards for the scope of cyber insurance policies; and

(3) identifying any barriers to modeling and underwriting cybersecurity risks.

(b) REPORT.—Not later than the expiration of the 180-day-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress setting forth the findings and conclusions of the study conducted pursuant to subsection (a), which shall include recommendations on whether or not Federal intervention would help facilitate the growth and development of insurers offering coverage for cybersecurity risks, the availability and affordability of such coverage, and policyholder education regarding such coverage.

AMENDMENT NO. 162 OFFERED BY MR. GREEN OF TENNESSEE

Page 978, after line 16, add the following new section:

SEC. 1637. STRENGTHENING FEDERAL NETWORKS.

(a) AUTHORITY.—Section 3553(b) of title 44, United States Code, is amended—

(1) in paragraph (6)(D), by striking ''; and'' at the end and inserting a semicolon;

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:

''(7) hunting for and identifying, with or without advance notice, threats and vulnerabilities within Federal information systems; and''.

(b) BINDING OPERATIONAL DIRECTIVE.—Not later than 1 year after the date of the enactment of this section, the Secretary of Homeland Security shall issue a binding operational directive pursuant to subsection (b)(2) of section 3553 of title 44, United States Code, to implement paragraph (7) of section 3553(b) of title 44, United States Code, as added by subsection (a).

AMENDMENT NO. 163 OFFERED BY MS. HAALAND OF NEW MEXICO

At the end of subtitle G of title XII, add the following:

SEC. 12___. LIMITATION ON ASSISTANCE TO BRAZIL.

No Federal funds may be obligated or expended to provide any United States security assistance or security cooperation to the defense, security, or police forces of the Government of Brazil to involuntarily relocate, including through coercion or the use of force, the indigenous or Quilombola communities in Brazil.

AMENDMENT NO. 164 OFFERED BY MS. HAALAND OF NEW MEXICO

At the end of subtitle H of title V, insert the following:

SEC. 5___. PLAN TO IMPROVE RESPONSES TO PREGNANCY AND CHILDBIRTH BY MEMBERS OF THE ARMED FORCES AND EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) PLAN REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop a plan to ensure that the career of a covered individual is not unduly affected because of being a covered individual. The plan shall address the following policy considerations:

(1) Enforcement and implementation of the Pregnancy Discrimination Act (Public Law 95–555; 42 U.S.C. 2000e(k)) by the Department of Defense and the Equal Employment Opportunity Commission with regards to civilian employees of the Department of Defense.

(2) The need for individual determinations regarding the ability of members of the

Armed Forces to serve during and after pregnancy.

(3) Responses to the effects specific to covered individuals who reintegrate into home life after deployment.

(4) Pregnancy discrimination training, including comprehensive education of new policies to diminish stigma, stereotypes, and negative perceptions regarding covered individuals, including with regards to commitment to the Armed Forces and abilities.

(5) Opportunities to maintain readiness when positions are unfilled due to pregnancy, medical conditions arising from pregnancy or childbirth, pregnancy convalescence, or parental leave.

(6) Reasonable accommodations for covered individuals in general and specific accommodations based on career field or military occupational specialty.

(7) Reissuing school enrollments or special assignments to covered individuals.

(8) Extended assignments and performance reporting periods for covered individuals.

(9) A mechanism by which covered individuals may report harassment or discrimination, including retaliation, relating to being a covered individual.

(b) REPORT ON PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report detailing the plan required under this section and a strategy to implement the plan.

(c) IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall—

(1) complete implementation of the plan under this section; and

(2) submit to the congressional defense committees a report detailing the research performed, considerations, and policy changes implemented under this section.

(d) COVERED INDIVIDUAL DEFINED.—In this section, the term ''covered individual'' means a member of the Armed Forces or employee of the Department of Defense who—

(1) is pregnant;

(2) gives birth to a child; or

(3) incurs a medical condition arising from pregnancy or childbirth.

AMENDMENT NO. 165 OFFERED BY MR. HAGEDORN OF MINNESOTA

At the end of subtitle D of title VIII, add the following new section:

SEC. 8___. PAST PERFORMANCE RATINGS OF CERTAIN SMALL BUSINESS CONCERNS.

(a) PAST PERFORMANCE RATINGS OF JOINT VENTURES FOR SMALL BUSINESS CONCERNS.—Section 15(e) of the Small Business Act (15 U.S.C. 644(e)) is amended by adding at the end the following:

''(5) PAST PERFORMANCE RATINGS OF JOINT VENTURES FOR SMALL BUSINESS CONCERNS.—With respect to evaluating an offer for a prime contract made by a small business concern that previously participated in a joint venture with another business concern (whether or not such other business concern was itself a small business concern), the Administrator shall establish regulations—

''(A) requiring contracting officers to consider the record of past performance of the joint venture when evaluating the past performance of the small business concern; and

''(B) requiring the small business concern to inform the contracting officer what duties and responsibilities the small business concern carried out as part of the joint venture.''.

(b) PAST PERFORMANCE RATINGS OF FIRST-TIER SMALL BUSINESS SUBCONTRACTORS.—Section 8(d)(17) of the Small Business Act (15 U.S.C. 637(d)(17)) is amended to read as follows:

''(17) PAST PERFORMANCE RATINGS FOR CERTAIN SMALL BUSINESS SUBCONTRACTORS.—

''(A) IN GENERAL.—Upon request by a small business concern that performed as a first tier subcontractor on a covered contract (as defined in paragraph 13(A)) that is submitting an offer for a solicitation, the prime contractor for such covered contract shall submit to the contracting agency issuing the solicitation or to such small business concern a record of past performance for such small business concern with respect to such covered contract.

''(B) CONSIDERATION.—A contracting officer shall consider the record of past performance of a small business concern provided under subparagraph (A) when evaluating an offer for a prime contract made by such small business concern.''.

(c) RULEMAKING.—

(1) SMALL BUISNESS ADMINISTRATION.—Not later than the end of the 120-day period beginning on the date of enactment of this Act, the Administrator of the Small Business Administration shall issue rules to carry out this section and the amendments made by this section.

(2) FEDERAL ACQUISITION REGULATION.—Not later than the end of the 120-day period beginning on the date that rules are issued under paragraph (1), the Federal Acquisition Regulation shall be revised to reflect such rules.

AMENDMENT NO. 166 OFFERED BY MR. HARDER OF CALIFORNIA

At the end of subtitle D of title V, insert the following:

SEC. 5___. TERMINATION OF CONTRACTS FOR TELEPHONE, MULTICHANNEL VIDEO PROGRAMMING, OR INTERNET ACCESS SERVICE BY CERTAIN INDIVIDUALS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 305A(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3956(a)) is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL INDIVIDUALS COVERED.—For purposes of this section, the following individuals shall be treated as a servicemember covered by paragraph (1):

''(A) A spouse or dependent of a servicemember who dies while in military service or a spouse or dependent of a member of the reserve components who dies while performing duty described in subparagraph (C).

''(B) A spouse or dependent of a servicemember who incurs a catastrophic injury or illness (as that term is defined in section 439(g) of title 37, United States Code), if the servicemember incurs the catastrophic injury or illness while performing duty described in subparagraph (C).

''(C) A member of the reserve components performing military service or performing full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training (as such terms are defined in section 101(d) of title 10, United States Code).''.

AMENDMENT NO. 407 OFFERED BY MR. CROW OF COLORADO

Page 767, line 6, strike ''does not provide'' and insert ''is not a substitute for a final intra-Afghan agreement that provides''.

Page 767, line 8, strike ''does not create'' and insert ''creates''.

Page 767, line 9, insert ''international'' after ''prevention of''.

Page 767, line 10, strike ''does not represent a realistic'' and insert ''represents a durable''.

Page 767, line 14, strike ''timely'' and insert ''regular, timely,''.

Page 768, line 21, insert ''international'' after ''new''.

Page 769, line 20, strike ''status of'' and insert ''ability of the Afghan government to uphold''.

Page 770, line 9, insert ''permanent'' before ''takeover''.

Page 770, beginning on line 13, strike ''terrorist organizations, including each covered terrorist organization'' and insert ''international terrorist organizations that the intelligence community assess pose a threat to the United States homeland and United States interests abroad''.

Page 770, line 18, strike ''malign state actors'' and insert ''Afghanistan's neighbors and near neighbors''.

Page 771, line 1, insert ''by the intelligence community'' after ''assessment''.

Page 772, beginning line 13, strike ''from Afghanistan to Pakistan or Iran, or from Pakistan or Iran to Afghanistan'' and insert ''to Afghanistan from Pakistan, Iran, or neighboring countries''.

Page 772, beginning line 22, strike ''as a result of the February 29, 2020, agreement between the United States and Taliban'' and insert ''since February 29, 2020''.

Page 776, after line 20, insert the following:

(C) the Director of the Central Intelligence Agency;

The SPEAKER pro tempore. Pursuant to House Resolution 1053, the gentleman from Washington (Mr. SMITH) and the gentleman from Texas (Mr. THORNBERRY) each will control 15 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Minnesota (Ms. Craig).

Ms. CRAIG. Madam Speaker, I thank the chairman for yielding and allowing me to speak on this en bloc amendment, which includes my amendment to add $30 million to the Army Community Services account to provide family assistance, victim advocacy, financial counseling, employment readiness, and other similar support services. This program is so important, and I am grateful the amendment was included.

I am also here to urge the inclusion of the Insulin Affordability Data Collection Act in the final NDAA. Right now, Minnesotans are dying because of the real-life impact of the cost of insulin and other lifesaving prescription drugs.

Madam Speaker, I urge the inclusion of this bill, which is already included in the Senate's version of NDAA. This issue will study the rates of diabetic ketoacidosis, which took the life of Minnesotan Alec Smith 2 years ago after the high cost of insulin forced him to ration his doses.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to distinguished gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Madam Speaker, I oppose the Delgado amendment. Beware of a wolf in sheep's clothing.

This is not a technical fix or a clarification of last year's NDAA. There were no colloquies, report language, or public statements rejecting TRI exemptions for PFAS in connection with last year's NDAA.

With zero hearings on this topic, this amendment would greatly benefit from regular order to appreciate its impact, which would be going through the Energy and Commerce Committee.

TRI contains several reporting exemptions, including de minimis

amount in chemical mixtures, when the chemical is in an article, and if the chemical is a cleaning substance or used for research.

Madam Speaker, the Delgado amendment would strip these exemptions, and I urge its rejection.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. CARBAJAL), who is a member of the Armed Services Committee.

Mr. CARBAJAL. Madam Speaker, this important measure reauthorizes the Coast Guard and adopts important safety reforms for small passenger boats based on legislation I sponsored.

Last September, we tragically lost 34 lives when the Conception dive boat caught on fire in the waters off Santa Cruz Island in my district. This is one of the worst maritime disasters in recent history.

We have now learned that NTSB had previously made recommendations to the Coast Guard to improve maritime safety operations. This amendment would require implementation of some of those reforms to prevent tragedies like this from happening again.

Madam Speaker, I am grateful to the Coast Guard and to local law enforcement for their help with search and rescue and to Chair DEFAZIO and Chair MALONEY for their support on this issue, and I urge my colleagues to support this amendment.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Madam Speaker, I rise today in opposition to the Langevin national cyber director amendment, which would expand an already bloated administrative state by creating a new position within the White House, basically, a resident lobbyist for big tech vendors and a legion of 75 unaccountable career government bureaucrats. This new department is like a self-licking ice cream cone, paid for by taxpayers and accountable to virtually no one.

The President opposes this new position, as should anyone who believes that laws should be written by elected Congressmen and carried out by an elected President.

Madam Speaker, I urge a ''no'' vote on this amendment.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Madam Speaker, I urge support of this package, which contains four amendments I have introduced.

My first requires the Secretaries of Defense and State to investigate the use of social media platforms by foreign terrorists and to report to Congress on the homeland security threats posed by online radicalization of violent extremists. Just last week, public reporting detailed that Facebook accounts linked to ISIS are still on the platform, letting them spread extremist content online.

My second amendment looks out for our brave National Guard members on the front lines of COVID–19, including disaster-stricken long-term care facilities like the State-run New Jersey veterans home at Paramus, by providing 2 weeks of housing to quarantine safely before returning to their families and communities.

My third amendment ensures that the Secretary of Defense publicly reports lead and copper testing of drinking water at K–12 schools on military bases, because parents and families deserve to know the facts.

Madam Speaker, to ensure we are standing up for military families, my final amendment requires an annual report to Congress analyzing nationwide costs of living for members of the Department of Defense, particularly those in New Jersey who have been whacked by the gutting of the SALT deduction.

Madam Speaker, I urge support for this bipartisan set of amendments.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Madam Speaker, I rise today in support of my amendment included in this en bloc package.

My amendment would create a cyberattack exception to the Foreign Sovereign Immunities Act to remove the immunity of foreign states—including foreign officials, employees, or agents—with regard to money damages sought by a national of the United States for personal injury, harm to reputation, or damage to or loss of property resulting from cyberattacks.

The Foreign Sovereign Immunities Act was passed in the seventies before anyone could fathom what our technology capabilities would be today, and under that law, if a foreign national commits a cyberattack against a U.S. citizen, our citizen has no legal recourse here in the U.S. to defend themselves.

With this blanket immunity, our adversaries in North Korea, Russia, and China have a free hand to attack Americans from the comfort of their own homes without consequence.

For decades, foreign governments have been using cyberattacks to influence politics and policy in our country. Now, in the midst of the coronavirus pandemic, we have this hacking activity ramp up against U.S. medical institutions and vaccine development.

We can't sit back and do nothing. It is time for Congress to update its laws to reflect modern technology and modern national security threats.

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Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND), a member of the Committee on Armed Services.

Ms. HAALAND. Madam Speaker, included in this en bloc are my amendments to protect indigenous communities in Brazil and to remove negative perceptions and stereotypes about pregnant military members that lead to ill-treatment that disadvantage their careers and well-being.

In the 1950s, my mother was forced from the Navy because she was pregnant. Though times have changed, Active Duty mothers are experiencing microaggressions and subtle forms of discrimination.

Madam Speaker, with this amendment, the DOD must develop and implement policies to end pregnancy discrimination. This change is long overdue and will allow women serving in my district and across the country to have long, successful military careers.

Madam Speaker, I urge my colleagues to vote ''yes'' on this en bloc, and I thank the chairman for his leadership and support.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. BOST).

Mr. BOST. Madam Speaker, I thank my colleague, Mr. LAMB, for joining me as a coauthor of the legislation we have on the en bloc. I also thank Chairman DEFAZIO and Ranking Member GRAVES for their support as well.

Every year, 575 million tons of cargo travel through our inland ports and waterways. That includes the Kaskaskia and America's Central Port in southern Illinois.

Half a million American jobs depend on inland shipping. They are vital parts of the transportation network and our Nation's ability to compete globally.

Unfortunately, these small coastal ports and terminals have less ability to compete for grants and capital to improve their efficiency and compete against the large facilities. This puts them at a disadvantage.

This amendment will help increase access to critical Federal funding for small coastal and inland ports and terminals. Improving these facilities will not only have a big impact on the economy, but it will also help local farmers, miners, and manufacturers be more competitive.

Madam Speaker, I urge my colleagues to support this amendment.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MALINOWSKI).

Mr. MALINOWSKI. Madam Speaker, I rise today in support of amendment 122 offered by Mr. DEUTCH of Florida, which adds the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act.

Madam Speaker, this amendment is named for Bob Levinson, the longest held American hostage. I have the honor of representing one of Bob's daughters in Congress.

He was a 25-year FBI veteran who disappeared from Iran on March 9, 2007. Time and again, the Levinsons watched as other Americans came home from Iran, and Bob was left behind.

After 13 years, his family learned this March that a determination was made

that he was no longer alive. It was a heart-wrenching moment for them and for everyone who had worked on their behalf.

The amendment before us today will ensure that families receive the support they need, that the U.S. Government will have a coordinated and coherent hostage policy, and that the position of Special Envoy for Hostage Affairs will be permanently codified in law, and it authorizes sanctions against those who engage in hostage-taking.

Madam Speaker, I thank the many bipartisan cosponsors of this amendment for recognizing that we have no higher national security responsibility than the protection of Americans.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. GONZALEZ).

Mr. GONZALEZ of Ohio. Madam Speaker, I rise today in support of my amendment No. 151 that is included in this en bloc amendment.

This amendment is based on my bipartisan bill, H.R. 5051, the Accountability for World Bank Loans to China Act that I introduced with my colleague, Mr. HECK.

In recent decades, China has worked to take advantage of international institutions like the World Bank, often in opposition to U.S. interests.

Today, China is one of the largest economies in the world and is also one of the largest creditors to developing nations. Despite that, China still receives funding under the World Bank IBRD program, even though China has exceeded IBRD's gross national income threshold for graduation from the program.

In other words, the United States' contributions to the World Bank help finance Chinese infrastructure projects, including in Zhejiang. This has to stop.

This amendment would require the U.S. director at the IBRD to pursue the graduation of China and, until China graduates, prioritize projects in China that contribute to the global public good.

Additionally, this amendment requires the Treasury Department to report to Congress on the level of indebtedness of countries receiving assistance through the Belt and Road Initiative that are also beneficiaries of international financial institutions.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise today in support of this amendment, which contains my bill to crack down on terrorism financing and the illicit use of anonymous shell companies, called the Corporate Transparency Act.

This is one of the most pressing national security problems we face in our country because anonymous shell companies are the vehicles of choice for money launderers, criminals, and terrorists. Unfortunately, the United States is the world's capital of anonymous shell companies.

Madam Speaker, my bill would correct this by requiring companies to disclose their true beneficial owners to the Financial Crimes Enforcement Network, or FinCEN. This information would only be available to law enforcement and financial institutions so they can comply with know-your-customer rules that were strengthened after 9/11.

Madam Speaker, I have been working on this bill for over 10 years, and it would plug a huge hole in our national security defense. It would also be the single most important anticorruption reform in decades.

Madam Speaker, I thank Chairwoman WATERS for her steadfast support, as well as Congressman CLEAVER and my Republican partners, Congressmen King and BLAINE LUETKEMEYER.

Madam Speaker, I urge a ''yes'' vote.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Madam Speaker, I thank the ranking member for yielding me the time.

Madam Speaker, I rise in favor of my amendment, which is included in the en bloc package.

My amendment builds upon the successes of the East Med Act, signed into law last year, by taking steps to increase the United States rotational deployments to Greece and diplomatic ties with Greece, Cyprus, and Israel—the trilateral agreement.

In an increasingly unstable region, and with Turkey making a decisive turn from the West, the United States needs to focus on strengthening our bonds with our reliable allies in the region. This amendment sends a strong message of deterrence to Turkey as it attempts to undermine the sovereignty of our friends in the Eastern Mediterranean.

Madam Speaker, I urge passage of this amendment.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Madam Speaker, I rise in support of Representative PALAZZO's and my bipartisan amendment, which would ensure that the National Guard servicemembers aiding in our response to COVID–19 have the care that they have earned when they return home.

Under current law, National Guard soldiers and airmen on Federal orders are entitled to 6 months of transitional health coverage after they are demobilized. However, the servicemembers activated in response to the coronavirus are not eligible.

This amendment, which is identical to my bill, the Support Our National Guard Act, would expand this important benefit to the over 45,000 National Guard servicemembers serving on the front lines of this pandemic. These brave men and women are sacrificing to ensure our Nation overcomes this unprecedented crisis, and they deserve our unconditional support.

Madam Speaker, I urge my colleagues to join me in honoring our obligation to our National Guard and vote in support of this amendment.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Speaker, I rise today in support of my amendment, floor amendment No. 154 of the NDAA.

Currently, the United States relies on China for 20 different critical minerals, which includes several rare earth materials defined by the Department of Defense.

Rare earth materials are used in numerous modern technologies, including missile guidance, control systems, lasers for enemy mine detection, satellite communications, radar, and sonar on submarines, to name a few. Any interruption of rare earth exports from China would drastically impact defense manufacturing, American economic growth, and overall combat readiness.

Madam Speaker, as a producer of nearly 80 percent of the world's rare earth materials, China wields considerable leverage against our country and its allies and did so with Japan earlier. My amendment would direct the Under Secretary of Defense for Acquisition and Sustainment to issue guidance that ensures the elimination of the United States dependency on rare earth materials from China by fiscal year 2035.

This very same amendment was made in order last year and passed by voice; however, it was not included in the final conference report.

Madam Speaker, I strongly urge adoption of my amendment.

Madam Speaker, I include in the RECORD an article from Department of Energy Secretary Dan Brouillette.

[From the Hill, July 20, 2020]

A SAFE, PROSPEROUS NATION REQUIRES SECURE SUPPLY CHAINS

(By Dan Brouillette)

The coronavirus pandemic opened Americans' eyes to the vulnerability of our supply chains and our over-reliance on critical goods from foreign nations. Many people suddenly realized, at the height of the pandemic, that the important medical products we urgently needed—like masks and ventilators—were coming from abroad.

And it is not just medical products. We are dependent on countries that are not reliable trading partners for automotive parts, electronics, pharmaceuticals, and even naturally occurring materials like uranium and critical minerals.

The United States must take strong action to secure our most critical supply chains, and, predominantly through research and development, the Department of Energy (DOE) is playing an important role in the Trump administration's efforts to do just that. Three areas of recent focus, in which DOE is striving to reduce import reliance, are critical minerals, uranium, and critical infrastructure components.

Critical minerals, including rare earth elements (REEs), are used in electronic products like smart phones, computer and TV

screens, and LED lights. But they are also needed to build important defense systems like aircraft and guidance systems, make batteries, and refine crude oil. Currently, the United States imports more than half of the annual consumption of nearly all critical minerals, and we rely on China for 80 percent of REEs. Our lack of domestic supply for these minerals is an economic security threat we must take seriously.

DOE is developing solutions to our critical mineral challenges by finding ways to diversify supply, develop substitutes, and drive recycling and reuse of critical minerals and REEs. One promising project will test the economic viability of extracting these minerals from our coal reserves in Appalachia and the western basins. Our research shows that there may be as much as 10 million tons of critical minerals in these reserves. Another effort underway involves using a highly absorbent material to capture lithium—a key component in batteries—from the working fluid used in geothermal power production. And there are numerous other ongoing projects which we believe in time will greatly reduce America's reliance on foreign-sourced critical minerals and REEs.

After decades of neglect, the U.S. commercial nuclear sector is at risk of insolvency. Meanwhile, other nations, notably Russia and China, are moving to advance their nuclear capabilities and export their technology to gain increased geopolitical influence. If we are to regain our place as a world leader in nuclear technology, we must start at the beginning of the nuclear fuel cycle and start mining and converting uranium on a wide scale again.

The element uranium not only fuels 95 civilian reactors, providing about 20 percent of U.S. electricity each year, it powers the U.S. Navy's fleet of nuclear submarines and aircraft carriers. Despite its importance, the United States currently relies on imports for 90 percent of its uranium.

Our lack of a significant domestic uranium supply chain threatens energy reliability and national security.

To reverse this trend and reinvigorate the entire nuclear energy industry, DOE recently unveiled the Nuclear Fuel Working Group's ambitious ''Strategy to Restore American Nuclear Energy.'' An important component of the working group's strategy is boosting domestic uranium mining and conversion. To that end, the working group recommended, and the president's 2021 budget included, funding to establish a domestic uranium reserve. Like the Strategic Petroleum Reserve, the domestic uranium reserve will boost the domestic uranium mining industry, support strategic nuclear fuel cycle capabilities, and provide critical assurance of uranium availability in the event of a market disruption.

Finally, we must secure our Nation's Bulk Power System (BPS) supply chain from the threat of foreign interference. The BPS includes power substations that transmit electricity to the distribution system before it reaches homes and businesses, and the automated industrial control systems that are used in water treatment facilities and manufacturing operations. Our BPS may be vulnerable to malicious advanced cyberattacks by countries like Russia, Iran, and China, threatening the backbone of our nation's electric power grid.

To meet the challenge, President Trump recently signed an executive order directing DOE to lead an interagency effort aimed at eliminating vulnerabilities within the existing system and developing policies to keep it safe for years to come. The first important action we will take is to prohibit future use of BPS equipment from any country or individual deemed a foreign adversary by our national security experts, the failure of which would pose a risk to the safety of Americans. The department will also review federal energy infrastructure procurement to ensure that safeguarding national security is at the foundation of our policies.

A safe, prosperous nation requires secure supply chains. The Department of Energy is leading the way in protecting our economic and national security by advancing the Trump administration's policies to produce more critical minerals and REEs, uranium supplies, and BPS components within the United States' borders.

Mr. SMITH of Washington. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Madam Speaker, I rise today in support of this en bloc motion that contains a bipartisan amendment that I led with Representatives MCCAUL, ESHOO, STEFANIK, STEVENS, JOYCE, and KATKO to help reinforce U.S. technological leadership.

As the global economy becomes more interconnected, it is essential that the United States maintains the ability to produce the hardware that our high-tech economy depends on.

Semiconductors are fundamental components of our phones, medical devices, and the future of our quantum computing. This amendment authorizes $1.2 billion for research and development that allows our domestic industry to continue to innovate and thrive.

Madam Speaker, I thank Representative MCCAUL for working with me on this amendment and our CHIPS Act, and I urge my colleagues to support this motion.

Mr. THORNBERRY. Madam Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. BUCK).

Mr. BUCK. Madam Speaker, I rise today in support of amendment No. 58 to the National Defense Authorization Act and to alert America to a serious national security threat.

The Chinese Communist Party is using TikTok to collect massive amounts of data from American citizens and our government that could be used in a cyberattack against our Republic.

We must take action to protect our Nation and stop the Chinese Communist Party's efforts to undermine our national security. That starts by passing my commonsense amendment to ban TikTok on all government-issued technology devices. The clock is ticking.

Madam Speaker, I urge adoption of the amendment.

Mr. SMITH of Washington. Madam Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Madam Speaker, I have no further requests for this en bloc package. I urge its support, and I yield back the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I encourage my colleagues to support the en bloc package, as well as the NDAA upon final passage, and I yield back the balance of my time.

Mr. CARSON of Indiana. Madam Speaker, I rise today in support of the National Defense Authorization Act (NODA) and my amendment which authorizes five million dollars for a pancreatic cancer early detection initiative (EDI) at the Department of Defense (DoD). Pancreatic cancer has the lowest survival rate of all major cancers—in large part due to lack of research in early detection. I believe we all agree that the patients, families, friends, and loved ones suffering from this disease deserve greater support.

My amendment will provide critical funding needed for more research and an early detection initiative (EDI) under the Congressionally Directed Medical Research Programs (CDMRP) at DoD. I am pleased that the Appropriations Defense Subcommittee has already appropriated ten million dollars for general pancreatic cancer research funding in this year's funding legislation. This is an increase of four million dollars from the previous year, and I am thankful to the Defense Subcommittee, especially Chairman VISCLOSKY, for their leadership on this issue. While encouraging, this general research increase is not enough to close the gap in early detection of pancreatic cancer. We should do more, especially now.

On Friday, this issue hit painfully close to home as America lost a giant to pancreatic cancer. Rep. JOHN LEWIS, our civil rights hero and Conscience of the Congress, passed away from pancreatic cancer only seven months after receiving his diagnosis. My amendment is inspired by Rep. LEWIS' courageous fight against pancreatic cancer. It is unacceptable that, despite being the third leading cause of cancer-related death in our country, pancreatic cancer still does not have a dedicated early detection initiative. Rep. LEWIS' short battle against pancreatic cancer is, sadly, often the norm for patients. In fact, the lack of research in ways to detect pancreatic cancer early has led to devastating consequences: sixty-six percent of patients live less than one year following their diagnosis. I am also inspired by my friend and colleague, Rep. ALCEE HASTINGS, who is fighting pancreatic cancer.

If diagnosed early, the five-year survival rate for pancreatic cancer patients is above eighty percent. However, if pancreatic cancer is detected late, the five-year survival rate drops to less than five percent. By failing to support our nation's researchers with the means to find new ways to detect pancreatic cancer early, we are leaving America's pancreatic cancer patients with few ways to detect this disease in time to extend the quality and duration of their lives. Rep. LEWIS' struggle against this horrific disease should serve as a sobering reminder of the human cost of failing to support early detection for pancreatic cancer.

It's important to note that persistent health care inequities and disparities for communities of color compound the devastation of pancreatic cancer and the effects of lack of early detection research. Unfortunately, Blacks are more likely than their fellow Americans to get pancreatic cancer. In fact, the incidence rate for pancreatic cancer among Black Americans is twenty percent higher than any other racial demographic. This disease is more deadly for us: the pancreatic cancer death rate is seventeen percent higher for Black men than White men. Significant evidence demonstrates that these disproportionate levels of pancreatic

cancer are in large part rooted in disparities in health care and access to tests and diagnostics. As a result, the lack of pancreatic cancer early detection research accelerates the racial unfairness in our health care system, with devastating consequences for minorities.

At a time when our country is having a national conversation about the deep disparities in access to health care for Black and Brown people during a global pandemic, Congress must do everything within our power to improve health outcomes through research and treatment. Providing dedicated funding for early detection research at DoD will help fill a critical gap in our pancreatic cancer research and will help address the pancreatic cancer disparities for communities of color.

I urge the House to support this amendment.

Mr. CONNOLLY. Madam Speaker, I rise today to offer an amendment to the FY2021 National Defense Authorization Act that would permanently authorize the teleworking program of the U.S. Patent and Trademark Office.

Since its launch, the program has significantly expanded the agency's teleworking capacity, while saving millions of taxpayer dollars.

In fiscal 2019 alone, the telework program generated over $123 million in savings, including avoided real estate costs and increased productivity, which generated $52 million and $49 million in savings, respectively.

The current coronavirus pandemic has solidified the need to invest in and support telework opportunities for federal agencies.

This amendment would enable thousands of federal employees to continue using this program and USPTO to continue saving millions of taxpayer dollars.

I thank my colleague Mr. HICE who was a co-sponsor with me on this provision.

Ms. ESHOO. Madam Speaker, I rise in support of several important provisions in H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act/or Fiscal Year 2021 (NOAA) that I authored or cosponsored, as well as amendments to the bill. This legislation will ensure our country retains its leadership in artificial intelligence (AI), cybersecurity, and semiconductor manufacturing.

NDAA includes several smart provisions authorizing investments in AI research and development (R&D). The Global AI Index, which quantifies the AI arms race among nations, finds that the U.S. is ahead of China today but ''experts predict China will overtake the U.S. in just five to 10 years.'' Section 5107 of the NDAA includes my bipartisan and bicameral legislation, H.R. 7096, the National AI Research Resource Task Force Act, which establishes a task force of experts from government, academia, and companies (large and small) to develop a roadmap for a national AI research cloud to make available high-powered computing, large data sets, and educational resources necessary for AI research. The national AI research cloud expands access so that American universities and companies can participate in AI R&D.

My legislation is supported by Chairman Eric Schmidt and Vice Chairman Bob Work of the National Security Commission on AI; 12 leading public and private research universities, including Stanford, UCLA, Princeton, and Ohio State; research and tech nonprofits Mozilla, Open AI, and the Allen Institute for AI; standards body IEEE-USA; leading technology companies, including Google, Amazon, Microsoft, Oracle, and IBM; and startups, including Calypso AI and Scale AI. I thank Representatives ANTHONY GONZALEZ and MIKIE SHERRILL; Senators PORTMAN and HEINRICH; and the House Committees on Science and Armed Services for their partnership in advancing this highly important legislation.

I'm proud to be a cosponsor of H.R. 6216, the National Artificial Intelligence Initiative Act, comprehensive and bipartisan legislation which establishes an initiative to accelerate and coordinate investments and partnerships in AI research, standards, and education. This legislation appears as division E of the base text of NDAA, and it is a major investment in our country's future that will pay dividends for decades to come.

The House will consider two AI-related amendments I authored that expand reporting requirements for the Joint Artificial Intelligence Center (JAIC) of the Department of Defense. Amendment No. 131 requires the JAIC to report to Congress on its contribution to the development of AI standards in multi-stakeholder bodies. The U.S. must lead international and multi-stakeholder standards bodies to ensure our democratic and liberal values guide the evolution of AI. Amendment No. 132, which I offer with Congressman GONZALEZ, requires the JAIC to report on the assignments servicemembers receive after they complete their duty with the JAIC. We need to ensure AI experience is recognized and celebrated in the armed services.

I'm proud to cosponsor Amendment No. 24, offered by my good friend Rep. MATSUI, based on her bipartisan legislation with Rep. MCCAUL, the CHIPS/or America Act. The amendment will restore American leadership in semiconductor manufacturing by increasing incentives to enable advanced R&D, which will bolster our country's national security and economic competitiveness. I thank Reps. MATSUI and MCCAUL for including, at my request, a provision ensuring that small businesses are given preference for grants authorized by the legislation, in subsection (b)(2)(C)(ii)(III) of the Semiconductor Incentive Grants section.

Finally, I'm pleased to cosponsor Amendment No. 15, which creates the role of the National Cyber Director within the Executive Office of the President, based on Rep. LANGEVIN's bipartisan legislation, the National Cyber Director Act. Cybersecurity is critically important for our national security and economy, and we need a senior official at the highest level of the Executive Branch to coordinate how the federal government and military are investing to mitigate cyberattacks and respond to disruptions in government and the private sector.

I urge my colleagues to support Amendments No. 131, No. 132, No. 24, and No. 15.

Mr. CONNOLLY. Madam Speaker, I rise today to offer an amendment to the FY2021 National Defense Authorization Act which would reform and codify the Federal Risk and Authorization Management Program (FedRAMP).

This amendment mirrors the bipartisan, House-passed, FedRAMP Authorization Act (H.R. 3941), which I coauthored with current White House Chief of Staff Mark Meadows.

FedRAMP standardizes security requirements for the authorization and ongoing cybersecurity assessments of cloud services for information systems across the federal government to help agencies more quickly adopt cloud technologies.

The FedRAMP Authorization Act helps reduce duplication of security assessments and other obstacles to agency adoption of cloud products by establishing a ''presumption of adequacy'' for cloud technologies that have received FedRAMP certification.

This presumption of adequacy means that the cloud service offering has met baseline security standards established by the program and should be considered approved for use across the federal government.

The bill would also facilitate agency reuse of cloud technologies that have already received an authorization-to-operate by requiring agencies to check a centralized and secure repository and, to the extent practicable, reuse any existing security assessment before conducting their own.

The bill requires that GSA work toward automating their processes, which will lead to more standard security assessments and continuous monitoring of cloud offerings, and increase the efficiency for providers and agencies.

The bill establishes a Federal Secure Cloud Advisory Committee to ensure dialogue among GSA, agency cybersecurity and procurement officials, and industry for effective and ongoing coordination in acquisition and adoption of cloud products by the federal government.

Finally, the bill authorizes the program at $20 million annually, providing sufficient resources to increase the number of secure cloud technologies available for agency adoption.

We have worked with the Office of Management and Budget, GSA, industry stakeholders, and our minority counterparts to ensure that the bill makes needed improvements in the FedRAMP program and gives the program flexibility to grow and adopt to future changes in cloud technologies .

In 2019, 13 agencies reported to GAO that they achieved at least $291 billion in savings from increasing their investments in cloud technologies. I hope we can continue to advance the bipartisan Fed RAMP Authorization Act to reform and codify a vital program many agencies rely upon to provide secure cloud computing solutions, a fundamental component of many IT modernization efforts.

Mr. CONNOLLY. Madam Speaker, I rise today to offer an amendment to the FY2021 National Defense Authorization Act that would clarify that both subcontractors and subgrantees who provide protected disclosures of federal waste, fraud, and abuse are protected from retaliation.

This provision closes a loophole in federal whistleblower protection laws.

The amendment is particularly important for agencies that engage in significant grant activities, like the Department of Education, which provides grants to state-level agencies who then provide subgrants to local governments.

Sometimes it's teachers and school administrators who are in the best position to tell federal leaders where and how federal dollars are misspent.

This language ensures that those with information on the waste, fraud, or abuse of federal funding report it—and that those who are

brave enough to report such wrongdoing are protected from retaliation.

I thank my colleague Rep. BRIAN FITZPATRICK for cosponsoring this amendment.

Mr. CONNOLLY. Madam Speaker, I rise today to offer an amendment to the FY2021 National Defense Authorization Act which would reaffirm the United States' commitment to promoting global health security.

This amendment is nearly identical to the text of the bipartisan Global Health Security Act (H.R. 2166), which passed the House Foreign Affairs Committee unanimously and was included in the House-passed HEROES Act (H.R. 6800).

At a time when decisive leadership and robust federal coordination is sorely needed to combat the global COVID–19 pandemic, this amendment would reestablish the government-wide lead for pandemic response by creating a U.S. Coordinator for Global Health Security that should be located at the National Security Council.

The amendment establishes an Interagency Review Council charged with implementing U.S. commitments under the Global Health Security Agenda and sets important metrics for global health security planning.

The amendment also requires a global health security strategy that helps other countries strengthen their health care systems and detect and mitigate outbreaks early.

I want to thank my colleagues: STEVE CHABOT, RICK LARSEN, BRIAN FITZPATRICK, AMI BERA, and ANN WAGNER for cosponsoring this amendment with me.

Mr. CONNOLLY. Madam Speaker, I rise today to offer an amendment to the FY2021 National Defense Authorization Act which would ensure that no U.S. servicemember with a felony-level domestic violence conviction is able to legally purchase firearms.

This simple, bipartisan amendment would codify existing Department of Defense policy which requires DOD to report to the National Instant Criminal Background Check System (NICS) servicemembers who are prohibited from purchasing firearms.

The DOD Inspector General found that DOD has failed consistently to report domestic violence convictions—4 in 5 domestic violence cases examined (86 percent) were not properly reported to the FBI or NICS.

One of the domestic abusers the DOD failed to report to the FBI was Devin Kelley, who entered a house of worship in Sutherland Springs, TX in November 2017, and killed 27 people with the guns he should have been prohibited from purchasing under current law.

Codifying this reporting requirement gives it more teeth and will help Congress in its oversight of these important public safety measures that DOD is failing to implement.

I want to thank my colleagues, PETER KING, MIKE TURNER, and JENNIFER WEXTON, for cosponsoring this amendment with me.

Mr. MCHENRY. Madam Speaker, I rise in opposition to the gentlewoman from New York's amendment.

The amendment being considered today is a new small business mandate on the smallest businesses in America. It will require some of the smallest businesses in this country, those with fewer than 20 employees and those with less than $5 million in receipts, to file annually a list of all of their owners with the Financial Crimes Enforcement Network, or FinCEN.

But who or what is FinCEN? I bet most of America has never heard of FinCEN, let alone those in the House office buildings.

It is a little-known agency here in Washington that deals with financial crimes, in the Treasury Department.

Now, imagine you are a small business owner. You are getting a notice from the Financial Crimes Enforcement Network mandating that you disclose the owners of your entity. This would be the first consumer-facing intelligence bureau that we would have in the Federal Government.

This amendment would require small business owners and small business investors to submit their personal information to a new Federal database without adequate privacy protections. This new Federal database will be accessible to law enforcement without a warrant and without a subpoena, a disturbing violation of due process, in my view.

This new Federal database has the fewest civil liberties protections of any Federal intelligence bureau database. It is a lower standard of accountability than what Congress provides in the PATRIOT Act, which largely targets foreign actors.

In addition, according to the National Federation of Independent Business, this amendment would also add more than $5.7 billion in new regulatory costs for America's small businesses. At a time when small businesses are struggling to stay afloat, this amendment would only add to America's small business burdens.

Supporters of the amendment are calling for these changes without any direct evidence to justify the mandate. There is plenty of anecdote, but no data.

In the months leading up to the House's consideration of this bill last October, I sought data from the intelligence bureau called FinCEN and from the Treasury Department, along with the Department of Justice, to better understand the need for this legislation. They provided none.

They gave anecdotes of very scary stories to try to compel me as a legislator to vote for what is a very specific threshold in law and a very specific new small business mandate.

I refused then to legislate based off of anecdotes. I refuse now to legislate off of anecdotes. I would like to have hard data. My questions have not been answered by FinCEN, the Treasury Department, or the Department of Justice.

We have no information on how beneficial ownership information will be protected. We do not have information on how the privacy of small businesses will be preserved.

We don't have information on how many law enforcement agencies will have access to the database, how many financial institutions will have access to the database, or what threshold for amount of sales and the number of employees will yield the most effective outcome.

Like H.R. 2513, this amendment has a threshold of $5 million of revenue and under, and 20 employees and under. We have no data to understand whether this is the right threshold for either the dollar amount or the number of employees.

We will have stories, and we will have Members come to the House floor telling us stories of bad actors, but that is anecdote. That is not data to provide for this threshold. If we are going to have such an encroachment on America's personally identifiable information of small businesses across this country, shouldn't we have solid data? I believe so.

I believe we have a number of issues that need to be dealt with to make this amendment sustainable and provide protections for civil liberties.

I believe that combating illicit finance is a nonpartisan issue that all Members want to address. Yet, our actions must be thoughtful and data-driven.

A strong example of this is H.R. 2514, the COUNTER Act, which is included in this amendment. In committee, we came together in support of H.R. 2514, which was introduced by the gentleman from Missouri (Mr. CLEAVER) and the gentleman from Ohio (Mr. STIVERS).

H.R. 2514 is a compilation of bipartisan policies that modernize and reform the Bank Secrecy Act and anti-money laundering regimes. It balances security and privacy. It was a strong bipartisan bill. It provides the Treasury Department and other Federal agencies with the resources they need to help catch bad actors.

It's disappointing though that Democrats chose to combine these two bills for the sole purpose of driving up votes for their new mandate impacting millions of small businesses and jeopardizing civil liberties.

I would be remiss if I did not thank my colleagues on the other side of the aisle for listening to some of our concerns on the Republican side of the aisle. We will have some Republican Members who vote for this amendment. I, however, will not.

The encroachment on the question of civil liberties, the lack of separation of powers, the lack of the use of a subpoena, and the lack of regulatory relief for those who are collecting this data, both in terms of small businesses and financial institutions, has not been fixed nor dealt with in this amendment.

In particular, prior to floor consideration of H.R. 2513 last October, I filed an amendment with the Rules Committee that would provide greater certainty for small businesses and for community banks by repealing the customer due diligence rule. The CDD rule requires financial institutions to collect similar data that is being required in this bill. Moreover, the Republican motion to recommit offered to H.R. 2513 would have required law enforcement to obtain a subpoena. Both attempts to strengthen the bill at the time were rejected.

The amendment that we are considering today to H.R. 6395 contains the same flaws as H.R. 2513.

To that end, I believe these issues still merit a more thoughtful solution that doesn't treat legitimate small businesses as collateral damage, like the bill and this amendment does.

I will continue trying to work with the amendment's sponsor to fix these issues.

Until then, I am opposed to this amendment.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1053, the previous question is ordered on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MASSIE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 6395 is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 4 o'clock and 58 minutes p.m.), the House stood in recess.

□ 1711

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 5 o'clock and 11 minutes p.m.

WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021

The SPEAKER pro tempore. Pursuant to clause 1(c) rule XIX, further consideration of the bill (H.R. 6395) to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, will now resume.

The Clerk read the title of the bill.

AMENDMENT NO. 3 OFFERED BY MS. ESCOBAR

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on amendment No. 3 printed in House Report 116–457 on which further proceedings were postponed on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Texas (Ms. ESCOBAR).

The vote was taken by electronic device, and there were—yeas 215, nays 190, not voting 24, as follows:

[Roll No. 141]

YEAS—215

Adams
Aguilar
Allred
Amash
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Herrera Beutler
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—190

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buck
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Curtis
Davidson (OH)
Davis, Rodney
Delgado
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Foxx (NC)
Fulcher
Gaetz
Gallagher
Garcia (CA)
Gianforte
Gibbs
Gohmert
Golden
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (MO)
Green (TN)
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Horn, Kendra S.
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Latta
Lesko
Lipinski
Long
Lucas
Luetkemeyer
Luria
Marshall
Massie
Mast
McAdams
McBath
McCarthy
McCaul
McClintock
McKinley
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Murphy (FL)
Murphy (NC)
Norman
Nunes
Palazzo
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Riggleman
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Tipton
Torres Small (NM)
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—24

Abraham
Brown (MD)
Buchanan
Bucshon
Budd
Byrne
Fortenberry
Graves (LA)
Griffith
Hudson
Kaptur
King (IA)
Loudermilk
Marchant
McHenry
Mullin
Newhouse
Olson
Palmer
Peterson
Roby
Rooney (FL)
Schakowsky
Timmons

□ 1754

Messrs. GREEN of Tennessee and STIVERS changed their vote from ''yea'' to ''nay.''

Ms. HERRERA BEUTLER changed her vote from ''nay'' to ''yea.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Cárdenas (Sánchez)
Case (Cartwright)
Clay (Grijalva)
DeFazio (Bonamici)
DeSaulnier (Matsui)
Deutch (Rice (NY))
Frankel (Clark (MA))
Garamendi (Boyle, Brendan F.)
Gomez (Gallego)
Horsford (Kildee)
Johnson (TX) (Jeffries)
Khanna (Sherman)
Kirkpatrick (Gallego)
Kuster (NH) (Brownley (CA))
Lawson (FL) (Evans)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Boyle, Brendan F.)
Lowenthal (Beyer)
McEachin (Wexton)
Moore (Beyer)
Nadler (Jeffries)
Napolitano (Correa)
Pascrell (Sires)
Payne (Wasserman Schultz)
Pingree (Cicilline)
Porter (Wexton)
Pressley (Omar)
Price (NC) (Butterfield)
Richmond (Butterfield)
Rush (Underwood)
Serrano (Jeffries)
Thompson (MS) (Fudge)
Trone (Beyer)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Hayes)

AMENDMENT NO. 4 OFFERED BY MR. MCADAMS

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to clause 8 of rule XX, the unfinished business is the vote on the adoption of amendment No. 4, printed in House Report No. 116–457, on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Utah (Mr. MCADAMS).

The vote was taken by electronic device, and there were—yeas 227, nays 179, not voting 23, as follows: