The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our star of hope, continue to be the light that enables us to see the way. Lead our lawmakers to accomplish Your work on Earth, making them Your agents for justice, truth, and freedom. Inspire them to be stewards of Your will as You answer their cries for help. Lord, listen to their fervent prayers as they wait expectantly for Your deliverance. Keep our Senators on the right path of Your prevailing providence, and surround them with the shield of Your love. Defend them with Your heavenly grace, and give them the courage to face perils with total trust in You.

We pray in Your sovereign Name.

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. Loeffler), The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALS ACT

Mr. GRASSLEY. Madam President, watch the news or read the newspapers, and you will know that there are a lot of deliberations going on to help with the problems that we have of people being unemployed, the pandemic we are fighting, and getting the economy up and running. While those negotiations are going on, every once in a while, some of us on this side of the aisle try to get things to help people who have needs. A few days ago, the Democratic leader objected to one of these attempts, which was a short-term extension of the Federal unemployment supplement that was created by this body as part of the CARES Act. Remember, the CARES Act passed unanimously by this body back in March. Those things are running out, and we are trying to get them extended. This effort to get this short-term extension was to provide for Americans who need the continued help while talks continue about a longer extension and even more relief.

Common sense ought to play a role. There doesn’t seem to be any downside to a temporary extension, but there apparently was a political upside to the other side’s blocking it. I hope we can work together and that the Democratic leader will let his Members work with their Republican colleagues on a path forward. This partisan “my way or the highway” approach just doesn’t work, particularly in a body in which it takes 60 votes to get things done. These objections are not how we got the CARES Act passed in the first place, and it is not how we will continue to deliver for the American people now if we don’t get more cooperation.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

BEIRUT

Mr. McConnell. Madam President, first, I extend the Senate’s condolences to the people of Lebanon following yesterday’s horrific explosion in Beirut. Reports indicate that at least 100 have died and that more than 4,000 others were injured.

The Lebanese people have seen more than their share of tragedy—civil war, Syrian occupation, terrorism and assassination, sectarian violence, economic and political corruption, the burden of caring for more than a million refugees fleeing Syria.

Now, unfortunately, once again, in the wake of great tragedy, the Lebanese Armed Forces will have to demonstrate they serve the state of Lebanon and its people, not a political party or sect. Since the end of Syrian occupation, the LAF has demonstrated it can be a unifying and national force, largely free from sectarianism that corrodes other Lebanese institutions.

The people of Beirut are beginning the hard work of rebuilding their city. Their nation continues its hard work to restore its democracy and sovereignty. On these fronts, the Senate
and the American people stand with them in their journey.

HEALS ACT

Mr. MCCONNELL. Madam President, on an entirely different matter, stop me if the story I am about to tell sounds familiar.

The Speaker of the House and the Democratic leader summon President Trump’s representatives to the Capitol. They meet for a long while. The Democrats emerge, saying they have permitted a few millimeters of progress, but a deal is still far off, leaving millions of Americans in the lurch. Then they continue to push their $3 trillion wish list that even their own Demo- cratic colleagues brush off as absurd. We have had variations on this theme daily for more than a week now.

Yesterday, the Speaker of the House called their far-left proposal a “well-developed strategic plan,” but even Members of her own caucus know that is not true.

Back when the Speaker’s wish list was rammed through the House, one Democratic Member came right out and said that the so-called Heroes Act “isn’t a wish list.” Another said that Members of her caucus had taken the bill as an “opportunity to make political statements . . . that goes far beyond pandemic relief and has no chance at becoming law.” Others said it was “not focused” and “partisan gamesmanship.”

These are Democrats I am quoting. Even the Speaker’s own rank and file know it is comical to say your “strategic plan” for COVID–19 involves sending taxpayer checks to people who are here illegally, paying people more not to work than essential workers earn by working, soil health programs—so-called “environmental justice” grants—and a tax cut aimed directly at wealthy people in New York and California.

That last point needs special attention.

Now, in ordinary negotiations, Members of Congress like to bring things on an entirely different matter, stop them in their journey.

The Republicans want to keep providing some supplemental Federal unemployment. We just don’t think it is remotely fair for the Federal Government to tax essential workers who have kept working every day so Uncle Sam can pay them not to get a higher salary to stay home. Let me say that again. We just don’t think it is remotely fair for the Federal Government to tax essential workers who have kept working every day so Uncle Sam can pay his neighbors a higher salary to stay home.

Outside of the Democratic leader and the Speaker of the House, even Democrats concede it is a bit upside down to pay people more not to work.

Last week, the House Democratic majority leader said: “It’s not $600 or $1,200.” Our colleague, the senior Senator from Maryland, has said: “We certainly understand we don’t want to have higher benefits than what someone can make working.”

Just yesterday, the senior Senator from West Virginia stated plainly that Speaker Pelosi’s position was untenable. “I don’t think we’re going to stay at the $600.”

Let’s bear in mind, even $200 would be eight times what the Democrats put in place with unified control of the government during the last crisis in 2009. It is unthinkable they will hold every bit of relief hostage unless we land back at $600 and pay workers a bonus if they do not help to reopen our country. Maybe the Speaker and the Democratic leader will get the memo from their colleagues sometime soon.

The Democrats demand for $1 trillion more to hand out to State and local governments even though they have only spent a fourth of the money we sent them back in March.

Yesterday, I received an urgent letter from the city of Malibu, CA—and I promise I am not making this up—asking Congress for hundreds of billions of dollars for State and local governments because it has had to delay its “conversion to an all-electric city fleet.”

I guess that is an emergency in Malibu when they can’t keep buying brand new electric cars as quickly as they would like. Well, this emergency is hitting most of America very differently.

My constituents in Kentucky have bigger problems. They need actual relief to go straight to struggling families, and, frankly, they needed it yesterday, not a $1 trillion slush fund for bureaucrats who have time spent what we sent them back in March.

Those are just some of the fantasy items that are in the Democrats’ demands. I haven’t even gotten to all of the important things they left out. Their bill costs three times as much as the Senate Republicans’ HEALS Act, but they skip over major, serious things that we took care of.

The Democrats proposed fewer resources than the Republicans for the fund to help schools reopen safely. The Democrats completely shortchanged the successful Collins-Rubio Paycheck Protection Program, wherein our bill would fund a whole second round. The Democrats have no real equivalent to our proposals to strengthen domestic supply chains for PPE and critical resources, and they propose no legal protections at all for the doctors and nurses who have fought this unknown enemy or for the schools, universities, churches, and businesses that are trying to reopen. Apparently, those soil health experiments and diversity initiatives didn’t leave enough room for the critical policies that would actually help the country.

But, remember, our Democratic colleagues told us from the beginning their goal was never a targeted plan for COVID–19.

In March, one of the Speaker’s top lieutenants said the Democrats should view this deadly disease and mass unemployment as a “tremendous opportunity to restructure things to fit our vision.” Speaker Pelosi herself called this crisis a “wonderful opportunity.” It is clear they view it that way because, while Americans are struggling, the Democratic leaders have moved about 1 inch in 8 days.

For the sake of the millions and millions who need more help, let’s hope they decide to get serious soon.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Madam President, negotiations on the next round of COVID relief continued yesterday and will continue again today. Speaker PELOSI and I are making progress with the White House, but we remain far apart on a large number of issues.

As I mentioned yesterday, the fundamental disagreement between our two parties is the scope and severity of the problem. This is the greatest economic crisis America has faced in 75 years and the greatest health crisis in 100. There must be a relief package commensurate with the size of this historic challenge. A skinny package—a package that doesn’t solve so many of the problems that America faces—would hurt the American people, and we cannot have it.

But our Republican friends are wedded ideologically to the idea that government shouldn’t take forceful action; that we should leave the welfare of the American people to the whims of the private sector. It just doesn’t work like that, especially in a time of national emergency. The private sector cannot do it.

While we have started to generate some forward momentum, we need our partners in the White House to go much further on a number of issues, let alone the Republican Senate, where 20 or so Republicans, by the majority leader’s admission, don’t want to do anything.

For example, the administration has finally come around to the view that we should extend the moratorium on evictions, but they continue to refuse to provide actual assistance to the renters themselves. What good does that do? We can prevent Americans from being kicked out of their apartments for another few months, but if they can’t pay the rent, they will be right back at square one when the moratorium expires, with even more unpaid bills piled up. Extending the moratorium on evictions solves only one-half of the problem.

Republicans continue to stone wall support for State, local, and Tribal governments, which have already shed more than a million public service jobs this year and will continue to lay off teachers, firefighters, and more if Congress does nothing.

In the early days of the crisis, State and local governments fought this disease basically on their own. The Trump administration couldn’t be bothered to coordinate meaningful responses, and they still can’t amplify them with the necessary resources. Now Leader MCCONNELL and others on the Republican side say our States should just go bankrupt. They put zero into their proposal for State and local and would like Republican Senators to go home and tell their Governors, tell their mayors, and tell their county executives: We want zero for you. That is what our leader is for. Well, it is not acceptable.

On unemployment insurance, a few Senate Republicans have belatedly accepted the view we should extend the enhanced benefit of $600 for an extended period of time. We have proposed and voted for it in the House. Of course, many Senate Republicans—most Senate Republicans—still object to that, but at least a few have come around. At the moment, however, the White House is not there, and we are not going to strike a deal unless we extend the unemployment benefits, which have kept nearly 12 million Americans out of poverty.

The same goes for healthcare, testing, and tracing. How is it that everyoneスーパーマーケットの事務員がいると思いますか？Everyone in the NFL can get tested, but average Americans still cannot access tests easily or get results back fast enough? More than 7 months into the crisis, this administration does not have a plan or adequate capacity for testing and contact tracing. It is a shocking failure on the part of the Trump administration and the Republican Senators.

So Democrats are insisting that we provide enough resources to finally slow the spread and defeat this disease—the single most important thing to our recovery. The American people know that the Trump administration and their Republican adherents in the Senate are to blame for this huge failure in testing and tracing. They demand we act and act fully now, not with some half-baked, poorly funded plan that won’t do the job, which is where the administration seems to be at right now.

Democrats are insisting that every American should be able to vote this November safely and confidently in person, by mail. There will be a need for polling places—maybe more of them—and a need to space people out as they vote. We are not going to stop fighting until State election systems and the post office, which is part of getting the mail there on time, get the resources they need.

Elections are a wellspring of our democracy, and the only answer as to why neither the Republicans in the Senate nor the White House wants to do anything about it is they fear a free and fair election. That is inimicable to the core of this Republic.

We are going to keep fighting. There have been alarming reports about recent failures at the post office, about residents in Michigan and Pennsylvania not getting their medicines or their paychecks for 3 weeks or more. The Postal Service is vital—and not just for elections but every single day.

The new Postmaster, Mr. DeJoy, a big donor to President Trump—which many believe is his main qualification for being chosen—has enacted new guidelines in the post office that experts say will cause severe delays in mail delivery. They have proposed for weeks to even hold a phone call with Democrats, including myself, about this issue. I called three times. Mr. DeJoy evidently didn’t have the time to call back when I was so concerned about mail delivery and the rest of the country. So we have insisted to Mr. Munchin and Mr. Meadows on meeting with Mr. DeJoy, which will take place later today.

We need to resolve the problems at the post office—this lack of funding and the new regulations that get in the way of the timely delivery of the mail. We must resolve those issues in a way that allows mail to be delivered on time and for the enhanced benefit of $600 for an extended period of time. It is difficult to listen to the Republican leader spin such a malicious fiction about why Congress has yet to pass another round of relief when he can’t even sit in the room with us and negotiate, when he can’t even create a modicum of unity in his disturbingly divided caucus.

For 3 months, Leader MCCONNELL and Senate Republicans put the Senate on pause when it came to the coronavirus. As COVID threats spread throughout the South and West, as States hit daily records for new cases and hospitalizations, as 50 million Americans filed for unemployment, the Senate Republican majority merely hummed along as if it were living in a different universe.

Leader MCCONNELL scheduled confirmation votes on rightwing judges. The chairman of Judiciary and Homeland Security held hearings on the President’s wild conspiracy theories about the 2016 election and conducted desperate fishing expeditions, hoping to dig up dirt on the family of the President’s political rivals. When the Republican majority did put legislation on the floor, it wasn’t even remotely related to COVID.

All through that time, Democrats came to the floor to practically beg our
colleagues to consider COVID relief legislation. We asked consent to pass urgent relief no fewer than 15 times, and every single time, Republicans blocked our requests.

Once Senate Republicans finally decided, it was the equivalent of a dumpster fire. Republicans bickered among themselves for over a week and a half before finally giving up. They didn’t even release a coherent bill; just a series of nibbling proposals, rife with corporate giveaways and K Street carve-outs. Republicans proposed a tax break for three-martini lunches but no food assistance for hungry kids; $2 billion to build an FBI building to boost the value of the Trump hotel but not a dime to help Americans afford their rent.

Then, to top it all off, almost as soon as the Republican plan on COVID was released, it became clear that even Senate Republicans didn’t support it. President Trump called it “semi-relevant.” “Semi-relevant” is what President Trump called the Republican proposals.

Leader McCONNELL basically gave up and left Democrats and the White House to hammer out the next bill. So it strains reason for Leader McCONNELL to criticize those of us who are actually engaged in negotiations while he is intentionally staying out of it. His “Alice in Wonderland” rhetoric—flipping everything on its head and confusing the other side of the sins that Leader McCONNELL, in fact, is committing—is extremely counterproductive.

Since Senate Republicans clearly cannot reach a consensus, any agreement is going to require a lot of Democratic votes. Suffice it to say, the Republican leader’s rhetoric and positions are not helpful in that regard.

While Republican leadership continues to sit on the sidelines, Democrats are in the room working hard. That is what the American people expect of us. They want to see us working to get something done in this time of extraordinary challenge. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to thank the Senator from New York and thank him for the negotiations he has engaged in. If it is nothing short of amazing that the Republican leader of the U.S. Senate comes to the floor of the Senate every morning and criticizes Senator SCHUMER and Speaker PELOSI, who are sitting in a room day after day after day, trying to hammer out an agreement to help America in this time of need, while there are two empty chairs at that table. KEVIN MCCARTHY, the House Republican leader, does not attend the meetings, and sadly, the Republicans in the Senate are also boycotting these meetings. I can’t remember a time when this has occurred, ever—no time in history when there was a critical national decision to be hammered out between the parties and the leaders of the Republican Party in Congress refused to attend the meetings.

Senator McCONNELL gives polished speeches on the floor criticizing Senator SCHUMER and Speaker PELOSI. They should be finished with this time in government, to practice them all day instead of going into the negotiations that can actually make a difference in the future of America.

Americans are genuinely concerned, and they should be. We face a national health emergency with this pandemic, sadly, where the infections are spiking across America. It is still amazing to consider two numbers: the number 5—the United States has about 5 percent of the world’s population; and the number 25—the United States has generated 25 percent of the COVID-19 infections in the world. Five percent of the population and 25 percent of the reported COVID infections in the world. It is nothing short of amazing that Senate Republicans didn’t support it. If the experts say something he doesn’t like to hear, he banishes them, as Dr. Fauci has found.

We also know that this President is downplaying the threat that sadly is taking American lives in the thousands by the day. Just yesterday or the day before, he branded this pandemic as all but over. Really? There is hardly anyone in America who would agree with that statement—certainly no one who is paying any attention to the sad realities facing families.

This President has failed to tell the truth. He has been engaged in medical quackery, that he clings to has been discredited by the sources that test it. It just isn’t an answer. The President should know better. For goodness’ sake, he doesn’t have the competence to make a medical judgment along those lines, but that won’t stop him.

But many people across America are just fed up with it, whether it is Lysol cocktails or ultraviolet insertions. Lord only knows what he will come up with next. At a time when people are literally sick and dying, when our healthcare heroes are risking their lives every day, this President goes off on these flights of medical fantasy, and the American people are fed up with it.

This President has failed to take the actions that America desperately needs. We cannot reopen this economy, we cannot consider reopening schools until we dramatically invest in better, quicker testing. That is a reality.

As Senator SCHUMER and I said earlier, Americans wonder how the President manages to test everyone who crosses the threshold of the White House over and over, every single day, and how Major League Baseball and the National Football League can get test results in a matter of hours while Americans are standing in line and waiting for results that are largely irrelevant when they are delivered 5 or 6 days after the test. What good is a test if it takes days after the test to get results?

And what has this President done about it? He has made statement after statement that the tests we could possibly want available to every American. We know better. All across America, we know better. Testing has improved and increased, but it is not where we need it. That should be the highest priority of this administration, but they failed when it came to providing personal protective equipment, and they failed when it comes to providing testing.

The biggest failure is the attitude of the Republican leader and the President when it comes to the crises America faces—first, the coronavirus crisis and, second, the economic crisis. The biggest tragedy is the fact that they believe we should do little or nothing, whether it be Lysol cocktails or ultraviolet insertions. This quackery. This hydroxychloroquine is essential that we dedicate ourselves to it, but, first, coronavirus—first, get the infections under control and save the lives of those who have already been infected. This is the first thing that needs to be done, safe and wise.

The Republican approach is too little and too late. We have come up with a plan, which Senator McCONNELL has come to the floor and mocked every single day. It passed the House of Representatives 11 weeks ago. Eleven weeks ago, Speaker PELOSI passed it and sent it to the Senate. What has happened in that 11-week period? Speech after speech after speech, deriding the efforts of the House of Representatives and, literally, nothing on the other side to show for it.

Finally, last week, they started trickling out a few ideas here and there, and they weren’t very good. They refused to participate, will not even attend the negotiation sessions with the White House, and come to the floor each day and mock and criticize Democratic efforts to deal with the issues before us.

As far as a recovery is concerned, it is essential that we dedicate ourselves to it, but, first, coronavirus—first, get the infections under control and save the lives of those who have already been infected. That is the first thing that needs to be done, safe and wise.

The Republican approach is too little and too late. We have come up with a $3 trillion plan. They have come up with a $1 trillion plan and said: We may not even spend that much. Particularly troublesome to me is the attitude toward the unemployment compensation being paid to Americans. I couldn’t believe the Senator from Kentucky when he came to
the floor today and tried to pit our healthcare heroes against the unemployed, saying: They are going to work every day. Why should we give any money to those who don’t go to work every day?

Really? We have four unemployed Americans—four unemployed Americans—for every single job opening. I don’t believe the doctors, nurses, and medical professionals who are fighting COVID every single day resent those who are unemployed. I think they understand full well the devastation of this pandemic, not only on the individuals they treat but on the economy at large.

When it comes to these healthcare heroes, the Democrats have stepped up and called for hazard pay. Will the Republicans join us? We think these healthcare heroes deserve it—that and more, our gratitude and more, for all they have given to the United States.

Let me say a word about those who are receiving unemployment benefits. I met with five of them in Chicago last week, heard their stories, asked them a few questions, and learned a little bit about their lives. I wasn’t surprised at the hardship they face. Many of them have been working for 4 to 6 months already. It is no surprise that almost half of the people out of work have exhausted all of their savings at this point, even with unemployment benefits.

You ask those who are unemployed: Well, what do you do with these checks that are sent to you each week? It is pretty obvious to them what you do with it. You pay the mortgage, if you have one. You pay the rent, the car payment, so it is not repossessed and taken away from you. You try to keep food on the table. You try to keep the people issuing the credit cards at bay. These are the basics that people face every single day. But the Republicans don’t seem to get that. They don’t understand it because they don’t get to know these people or even ask them what life is like. They are not on any bed of roses with $600 a week when you consider the debts they face, and you consider the fact that many of them are struggling to pay for their own health insurance at this point. A family trying to pick up the cost of their health insurance, that their employer once provided half of, finds themselves spending $1,400 to $1,700 a month on that alone. That is the reality.

For the record, of those who have returned to work in America, we are grateful that they are back to work. We are happy that they are back to work. Seventy percent of them were making more money on unemployment than they made returning to work. Well, why would they do that? Because they are not lazy people. They are people who take pride in work, believe they are not lazy people. They are people who are looking for work.

Well, why would they do that? Because making more money on unemployment is a temporary help. They want to get back to work, a place where they can prove their worth as individuals and feel some satisfaction that they are going to work and doing their best. That is part of the reality.

REOPENING SCHOOLS

Mr. DURBIN. Madam President, let me also address for a moment this issue of reopening of schools. There is a debate raging across the country right now about what this autumn will look like for our Nation’s schools, the schoolchildren, teachers, and school staff. You have heard the President, who has literally threatened those who don’t reopen their schools that they may lose Federal funding if they don’t reopen schools. What is that funding spent for? Special education, school lunches, help for kids in poor schools.

The message has been reiterated by the Secretary of Education, Betsy DeVos. She, too, has joined in the threats of schools that don’t reopen. Now the Republicans in the Senate have taken that threat and turned it into legislation with their proposal in the next relief package. Let me be really clear. There is a concern about empty classrooms. Those who study childhood behavior worry that lack of socialization takes its toll on childhood development. Teachers are often the first to evidence of child abuse, which now may be going unreported. Remote learning works well for some but not for others. But that is not the concern of this President. He wants schools back so he can claim some kind of false victory over the coronavirus.

Last week, I led 24 of my colleagues in writing to the majority leader and the Democratic leader opposing putting children and teachers in any danger by conditioning funding of schools reopening on our local school boards, administrators, teachers, parents, and others are facing these decisions honestly. They have to provide a safe and effective learning environment for students and for teachers, whether that be in person, in school, or at home.

Recently, I had the opportunity to visit the Little Village Academy in Chicago with the Chicago Public Schools chief, Janice Jackson. Some wonderful people are there each day passing out lunches to the kids in the neighborhood who come around the school. They haven’t reopened for classes. They hope they will, but that decision is still to be made.

I can tell you that in Chicago and across Illinois, school boards, administrators, teachers, parents, and others are facing these decisions honestly. They have to provide a safe and effective learning environment for students and for teachers, whether that be in person, in school, or at home.

Unlike President Trump, who is nice-ly insulated in the bubble of the White House with the multiple daily COVID-19 tests for everyone who just might come in contact with him, these education professionals in my home State of Illinois have to answer directly to the families in their communities. It is a decision that local officials are best suited to make without intimidation or threats from Washington, DC.

But Washington does have a role to play. The best thing we can do to help local school districts through this difficult fall and beyond is to provide the Federal assistance that they need to ensure the path they choose is one that keeps students and staff safe while allowing the learning and development to continue effectively. That is why, as we negotiate a fourth coronavirus response package, I will be pushing for the inclusion of the Coronavirus Childcare and Education Relief Act, being led in the Senate by Senator Patty Murray of Washington. In addition to supporting childcare, early education, and higher education, the bill provides $175 billion to elementary and secondary schools to help meet technology, cleaning, staffing, and other needs of schools. It provides funds for lunch programs and for special education, early education, and higher education. When it comes to these healthcare heroes, the Democrats have stepped up and called for hazard pay. Will the Republicans join us? We think these healthcare heroes deserve it—that and more, our gratitude and more, for all they have given to the United States.

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Congress shouldn’t put State and local officials in the position of choosing between desperately needed Federal assistance and the safety of students and the school personnel. Congress should not incentivize schools to reopen in person prematurely or penalize those where the public health situation makes it dangerous.

The argument from the administration seems to go: “Well, if schools don’t reopen, they either don’t deserve or don’t need any help.” That is just not the case. Even schools that are not able to reopen in person need assistance ensuring their students, especially those from low-income families, have the ability to participate in remote learning. They need help keeping staff on payroll, preparing the buildings so they can return in person in the future, and addressing many of the number of difficulties this pandemic has created. For school buses, if there is going to be social distancing of the kids on the buses, will there be a need for additional buses and buses drivers? In addition to funding the Federal Government should also ensure that schools have science-based guidance to support safely reopening, free from political influence and Presidential quackery.

They also need the flexibility to continue serving critical meals to our students, regardless of what the school year looks like this fall.
Chicago Public Schools have done an incredible job providing 18 million meals since March. We need to ensure the U.S. Department of Agriculture provides the range of alternative options needed to make sure that no kid in America goes hungry.

Schools in Chicago and around our State don’t need any more tweets or self-congratulatory briefings, Mr. President. They need Federal resources and guidance based on the best science our government has to offer. That is why I am fighting for this relief package to be at a level to meet the challenges we face across America.

CORONAVIRUS

Mr. DURBIN. Madam President, let me close by saying this. The majority leader comes to the floor regularly and talks about special interests. Perhaps he can explain to us why the Republican proposal for relief for the COVID-19 virus includes a $2 billion allocation for a new FBI building across the street from the Trump hotel. Perhaps he can explain the $30 billion wish list from the Department of Defense trying to make up for cuts that were made when the President raided their accounts to build his almighty wall in the southern border. Perhaps the majority leader can explain to us the liability immunity which is being proposed by the Republican side as a “red-line, take it or leave it, we will walk away if you don’t like it” approach.

It would be one thing if the Republican leader were in the room, actually negotiating, but he just makes a red-line and walks away. That red-line is a subsidy to the largest corporations in America, giving them liability immunity when it comes to possible court suits.

 Wouldn’t we want a standard to make sure that all businesses and every individual or group or business is doing its best to keep America safe? When we say, don’t worry about any liability in court if you ignore the public health reality, that is no guarantee that it is going to be a safe environment for America when we reopen this economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

CORONAVIRUS

Mr. THUNE. Madam President, last week Senate Republicans did introduce a new coronavirus relief bill called the Health, Economic Assistance, Liability Protection, and Schools Act. This bill is a $1 trillion piece of legislation focused on getting America back to work, getting kids and college students back to school, and providing healthcare resources to help defeat the virus. As the title says—the Health, Economic Assistance, Liability Protection, and Schools Act—it does have liability protections in there.

I just listened to the Senator from Illinois attack the idea of including those types of protections in the legislation, but I think it is really important to point out that those types of protections are critical if we are going to get the economy reopened again.

Businesses that are doing all the right things, following guidelines, adhering to all the laws, all the guidelines and restrictions that are out there—shouldn’t have to worry about lawyering up and spending thousands and, in some cases, millions of dollars to try and defend themselves against frivolous lawsuits which are being filed as we speak by the thousands.

The implication given by the Senator from Illinois that somehow this is all about big corporations or big businesses is just not consistent with the facts on the ground. In fact, I had a conversation 2 days ago with the school administrators in my State of South Dakota, all of whom are very interested in getting their schools opened up and getting kids back in school, which is an absolute priority of any standards we set in our legislation and should be, I think, one of the priorities of the country as we head into the fall.

One of their big issues was ensuring that they had protections against liability if you will, not against gross negligence, not against intentional misconduct—those types of things would not be covered—but protections if, in fact, they are doing all the right things, consistent with the rules that are in place in our legislation and should be, that they should have at least some protections.

That is going to be true not just of schools and small businesses, but it is also going to be true of healthcare providers. We—have people on the frontlines who are sacrificing every day to try and get people better, to heal those who have contracted the virus, and also protect those who are on the frontlines from getting it. They, too, are going to need those very types of protections that are called for in our legislation.

So this is not something that was put in there on a whim just because we knew that the Democrats wouldn’t like it. It was put in there because of feedback we received from States, local governments, school districts, healthcare providers, hospitals, nursing homes, and, yes, some small businesses, all of whom are going to be essential if we are going to get the economy up and going again and get people back to work, kids back to school, and Americans back on their feet.

So it is an essential part of the legislation, one which, so far, the Democrats have demonstrated no interest in. Democrats have demonstrated no interest in even having a conversation about, which is unfortunate because it is a critical element, feature, of any bill that we should be working on right now to provide coronavirus relief. When we introduced this bill, we knew this version wouldn’t be the final draft. I think everybody conceded that. We knew we would need to negotiate with our Democratic colleagues just like we did with the CARES Act, which was our largest coronavirus relief bill, back in March.

Back in March, the model that was used was having committee chairmen from both parties together in compromise and work out differences and end up with a strong, bipartisan bill. Was it a perfect bill? Well, no, of course not. No bill is. Did everyone get everything that he or she wanted? No, but it was a strong bipartisan bill that was praised by Democrats and Republicans alike—in fact, reflected by the unanimous vote.

I would like to say that we are engaging in those same types of negotiations right now, but unfortunately I can’t say that. I can’t say, in fact, what is happening right now is even negotiations. Negotiations involve both sides being willing to give something up to compromise and to try and move toward a solution. While Republicans are willing to make compromises to ensure that we can deliver another coronavirus relief bill to the American people, Democrats apparently aren’t willing to make any.

Back in May, House Democrats proposed and passed a massive $3.4 trillion piece of legislation that they called a coronavirus relief bill. Subsequently, it has been endorsed by Senate Democrats who have gone so far as to offer up unanimous consent requests here on the Senate floor to try to get a House-passed bill. In reality, that House-passed bill, $3.4 trillion bill, was a lengthy liberal wish list which even Members of the Democrats’ own party dismissed as dead on arrival. In fact, Democrats had some work to do to persuade Members of their own caucus in the House to vote for the bill.

As POLITICO put it at the time: “As of late Thursday evening, the House Democratic leadership was engaged in what some senior aides described as the most difficult arm-twisting of the entire Congress: convincing their rank and file to vote for a $3 trillion stimulus bill that will never become law.”

That is from POLITICO. The House bill includes various “coronavirus priorities” like funding for diversity and inclusion studies in the marijuana industry, tax cuts for blue-State millionaires, federalizing elections. Those are just a few of the reasons why were included in the House-passed bill that it is very hard to argue have anything to do with defeating the coronavirus. In fact, the House bill mentions the word “cannabis” more often than it mentions the word “job,” which tells you all you need to know about the seriousness of that proposal.

Despite all that, Democratic leaders have taken the House bill as their starting and, yes, their ending point for negotiations. They are insisting that Republicans sign off on pretty much everything in their bill, from the tax cuts for wealthy Americans to major changes in election law. And
they are not budging on the pricetag either.

As I said, Republicans have proposed a $1 trillion piece of legislation, and I can tell you—from being a Member of the Republican conference and the discussant—what I’m talking about. It is for a lot of Republicans, we already have voted for multiple coronavirus relief bills to the pricetag of about $3 trillion so far, to do another trillion dollars, knowing that every one of those dollars is a borrowed dollar, every one of those dollars is going on a Federal debt which is already upward of $25 billion and will ultimately have to be paid back by our children and grandchildren.

Well, that said, the trillion-dollar legislation that was put forward by Republicans is nowhere close to the pricetag for the Democrats’ bill, which is $3.4 trillion, as I said. Now, I think even an elementary school student would realize that compromise lies somewhere between those two numbers, more than, perhaps, the Republicans’ bill and less than the Democrats’ bill, but apparently that is not something Democrats are willing to entertain.

A senior correspondent for CNN talked to Speaker Pelosi yesterday, who claimed she wanted to reach agreement on a bill this week. The correspondent asked the Speaker what pricetag she was willing to agree to. Her answer: $3 trillion. In other words, after more than a week of negotiations, the Speaker of the House hasn’t budged from her original position. She hasn’t budged, nor have the Senate Democrats, who every time something has come up on our side to try and address this crisis have answered with: Well, let’s just pass the Heroes Act of the House, the $3.4 trillion boodoggle.

Well, that is not a compromise. That is not a negotiation. And if we emerge from this process without a coronavirus relief bill, the responsibility rests squarely on the shoulders of the Democratic leadership.

Let’s suppose, for a moment, that Republican negotiators agreed to every single thing that Democrats are insisting on: tax cuts for millionaires, diversity studies for the marijuana industry, a trillion-dollar pot of money for States, which, I might add, haven’t even had a chance to spend the coronavirus money the government has already given them. Let’s suppose Republican negotiators agreed to everything. What would happen then?

Well, the bill would never pass the Senate. In the Senate, you need 60 votes to pass a bill, and there simply aren’t 60 votes in the Senate for the Democrats’ liberal fantasies. In fact, it would be lovely if, as Democrats seem to think, the government drew its funding from a magical pot of gold that never runs out, but it doesn’t. Every dollar of the coronavirus relief that we already provided has been borrowed money, which continues to drive up our national debt. Now, arguably, it was money that needed to be borrowed, but there has to be a limit.

The higher we drive our national debt, the greater the danger to the health of our economy. Democrats may be fine with jeopardizing our economic health to pay for diversity studies for the marijuana industry, but I can tell you the Republicans are not. Republicans know we are going to have to borrow some additional money to meet the demands of the coronavirus crisis, and we have determination to do just that—but we are not going to further endanger our already battered economy by signing off on every unnecessary spending item on the Democrats’ liberal fantasy list.

Now, are Republicans going to have to agree to some of the things that we are not crazy about? Of course we are. But Democrats are going to have to accept that they can’t dictate every word of the bill. The bill which passed the House, if I might add, was 1,800 pages long. The bill that we have proposed in the Senate is 165 pages. The bill in the Democrats’ court. Republicans want to pass a coronavirus relief bill, and we are trying to negotiate. The Democrats are going to have to decide they want to come to the table.

“Our way or the highway” is not a negotiating position, and if Democrats continue to insist on getting everything that they want, then they are going to lose the responsibility for Congress’s failure to deliver additional relief. I hope—I really hope the Democratic leadership will remember what it means to negotiate and that it will work with Republicans to arrive at a compromise bill that can make it through both Houses of Congress and actually become law.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Indiana.

FREE SPEECH

Mr. YOUNG. Mr. President, “Freedom is the freedom to say that two plus two makes four.”—so wrote novelist George Orwell.

In the late 1980s, I traveled to the former Soviet Union as part of a youth soccer program. Now, decades have passed since that trip, of course, but the memories are still vivid. The shelves were barren. Citizens drank from communal water fountains. The items most in demand and hardest to find were American items: blue jeans—Levi Strauss—and bubble gum. Of course, that isn’t the only thing common in Indiana that were contraband behind the Iron Curtain. For decades, news, literature, art, or entertainment that was not broadcast or approved by the state was scarce and available only by bootleg.

The never-ending war over Russia were built to honor those who controlled it, the same men who regularly erased parts of Russia’s history to suit their own political purposes, not to serve others.

This was a society where ideas and dialogue existed only underground, where watching American movies was a jailable offense, where free thinkers weren’t found in newspapers or airwaves but locked away in labor camps, where information protected the State instead of empowering the individuals, where history was constantly purged and revised.

By the time I visited, though, Soviet leadership, in self-preservation mode, had gradually allowed citizens access to information and media as new technologies emerged. It was only a ray of sunlight through a very small crack, but through it, people all across the former Soviet Union and the Eastern Bloc could finally see and hear what had long been hidden from them: jazz, rock ‘n’ roll, Star Wars, Chuck Norris, Dr. Zhivago, and Robinson Crusoe. History was erased, but the truth of Stalin’s murders was revealed.

Inevitably, the fatal conceit of a centrally planned Communist economy was exposed, and large numbers of Russians realized just how their quality of life compared to the free, Western alternative. They were even permitted rights to express dissatisfaction with their circumstances.

A totalitarian regime’s greatest ally is darkness and silence. Keeping a people in the dark is the surest way to guarantee they never demand their God-given rights. But just a trickle of information, just a hint of truth, a whispering of dissent, and a touch of freedom of expression helped lead to the Soviet Union’s demise—the freedom to say that two plus two make four.

Free people become and stay free through open dialogue because of the free exchange of information and ideas—even ones we disagree with; because of patience with perspectives that are not our own; because we study our history, celebrate its highs, and learn from its lows.

That is why—that is why—it was painful to read recently that over 60 percent of Americans are now scared to admit their beliefs or air their opinions for fear of offending others and the consequences that will come with it. It is painful to learn but easy to understand.

This is the logical reaction when Americans are regularly censored, as they are today, for what they now consider decades ago, with no chance of grace or allowance for growth. It is not just people who are being canceled. It is words. It is music. Classrooms and libraries are banning “Huckleberry Finn.” “To Kill a Mockingbird” is banned on the grounds that “it is not fit for a Mockingbird” rather than encouraging students to examine or understand their authors’ words and messages. “Hamilton” is falling from grace now for the “sin” of acknowledging America was created in 1776. Whole parts of our American story are being wiped away.

Communities have a right to lawfully determine who and what adorns their
squares and streets, but that is a world away from toppling statues of George Washington and U.S. Grant in the same manner those of Lenin and Stalin were once removed at the end of the Cold War.

Our entertainment industry is getting in on the act too. American mov- ies once inspired freedom seekers. Today, they are self-censored to appease another totalitarian regime in Beijing.

America is a good nation. Those who call it home are decent and kind. We are not perfect, but our imperfections are not irredeemable.

The year 2020 has made it clear, though, that much work remains in the task of building a more perfect union. That effort is ongoing. Every generation since our founding has worked to- ward it. Every generation has made hard-earned progress, and our own work to create a more just future will be no less difficult—certainly more so than knocking down bronze and marble men or waging war on books or on each other across social media.

Every time our Nation has moved closer to better realizing the promise at the Declaration of Independence “that all men are created equal... endowed by their Creator with certain inalienable Rights,” it has been because the Founders dared to dream that was possible and left us the means to do so: the freedom to raise our voices and state our opinions; to disagree and respectfully debate; the gift of free inquiry; the right to chal- lenge our country on toward what Martin Luther King, Jr., memorably called its noble dream through words, music, art, or expression—all free from censor- ship and recrimination.

These liberties—unparalleled in human history—were won, preserved, and handed down to us by many of those whose memorials are falling. Out of gratitude, we must remember the men and women who came before us. We must see their faults but not lose sight of their virtues and aspire to the high ideals they set for us, even if they often fell short of realizing them. What will we have without these freedoms, without memory and understanding of our past? Desolate public spaces, empty bookshelves, silenced citizens with nothing to strive for other than self-preservation. But with these free- doms, we must remember the good actions, the good ideas will live. And the work we are in—the work of building a more perfect union and a freer and fairer nation— will be possible. Let this be the path we choose.

It would be natural to close with a quote by one of our several generations of Founding Fathers: Washington, Lincoln, King. But today I feel it is more appropriate to remember another na- tion’s founder and a good American friend—a man who lived behind the Iron Curtain and knew well the dangers of censorship and the power of free ex-

pression. As a playwright and a musician, he suffered under censorship. As a public leader, he helped his nation gain the power of free expression. It was ex- actly 30 years ago today that Vaclav Havel, then the President of Czechoslovakia, spoke in this building. “You have been told that your freedom is the freedom of all kinds, as other countries do,” he ob- served of America. “But you have one great advantage,” he reminded us. “You have been approaching democ- racy... for more than 200 years, and your journey toward that horizon has never been disrupted by a totalitarian system.”

Fellow Americans, our journey con- tinues on toward that horizon, and only we have the power to disrupt it. In this Nation, two plus two must always equal four.

We can take a positive step forward in one respect. Here is how. Beginning today, I will be regularly recognizing notable pieces of Indiana’s history. It may be through a floor speech or a res- olution or a social media posting. The purpose will be to celebrate and better understand my State’s part of Amer- ica’s story and to remember the Hoo- siers who—through and because of free- dom of action, speech, and expression—wrote that story. They will not be erased.

I yield the floor. THE PRESIDENT OFFICER. The Sen- ator from Oklahoma.

HEALS ACT

Mr. LANKFORD. Mr. President, we have been talking here in the Senate for months now about what needs to be done to respond to COVID–19. Right now, we are debating behind the scenes a fifth bill dealing with COVID–19. We have already passed four through the House and the Senate that the Presi- dent has signed.

Many Americans know the effects of those previous bills. They have re- ceived deposits from the Treasury of $1,200, and they have received assistance from the Paycheck Protection Program. Their schools have received assistance. Their hospitals have re- ceived assistance. Their States have re- ceived assistance. Their local jurisdic- tions have received assistance. There has been wide support in multiple areas—for housing and for health, for testing and for vaccines. All of those things have happened in the previous four bills.

Yet, when we passed the last set of bills, there was a lot of thought about what would happen next. How would the virus spread? How long would this last? Would Americans continue to just stay sequestered in their homes, away from everyone else?

Now, after months of dealing with this COVID–19, not only in the United States but globally, we know a lot more about not only how we are going to respond and treat the disease but also about what we are dealing with, for COVID–19 doesn’t affect everyone in the same way health-wise or economi- cally.

There are some people who get COVID–19, and they, literally, never know it—they experience no symptoms at all—while others end up in a hos- pital, in the ICU, or on ventilators. There are some fatalities.

Economically, we are at the same spot with COVID–19. Some businesses in America and some individuals in America are, literally, making more money now than they ever have before. They are in one of those businesses that is in high need—maybe home improve- ment. Since lots of folks are stay- ing at home, they are doing home improve- ments. The price of lumber has skyrocketed and the price for replace- ment windows. All kinds of people are installing pools at their homes. They aren’t going on vacation this year. So they are doing things to fix up their homes. Construction and home improve- ment have skyrocketed. Retail sales and craft businesses—craft fairs, art—may be the only businesses that we have right now.

A lot of other businesses that we have seen have actually increased dra- matically, not just grocery stores and department stores and such, but online retail, restaurants. They are doing good business. In my State, the incomes from many small towns to their com- munities are higher now than they ever were in the history of their cities because people aren’t driving to other towns to shop. They are staying at home and are shopping locally or on- line. So that tax revenue is going back to the cities. Literally, they are doing better now than they ever have done.

For other communities and other businesses, there have been horrible ef- fects during this time period, if you are a hotel or a convention center or a res- taurant that surrounds a convention center. If the businesses deal with travel, transportation, or vacations, all of those are struggling horribly during this time period, and there are mul- tiple others.

Here is the challenge that we have: Should our response now be the same as it was in March—to just pretend that this has struck everyone exactly the same—or should we pay attention to the realities economically around the country?

I think we should be more strategic and understand that what we are spending is other people’s money. It is not just printed monopoly money that we can just throw out here. It is debt on our future or it is, literally, taking money from the person next door or from your house.

So what do we need to do in a bill, and what are the needs at this point?

Some of them are very obvious. For the next bill that is coming, we need to focus in on vaccines, tests, and thera- peutics. How are we going to deal with telehealth? How are we going to be able to help?

This is, first and foremost, a health crisis, and it is amazing to me the
number of topics that are being discussed for the next bill that have nothing to do with COVID-19—nothing to do with it.

My friends on the other side of the aisle came forward with the Heroes Act—now the CARES Act. It is a $2 trillion bill, and a full $1 trillion of it has nothing to do with COVID-19. Unrelated completely is $1 trillion of it because it is a big bill, and we want to get other things in. We want to just throw it in there.

Why don’t we start with this as a health crisis, and let’s focus in on the health issues there—vaccines, testing, therapeutics, telehealth. What can we do for rural hospitals? What needs to happen at urban and suburban hospitals? Those are basic questions that should be there.

One of the most successful programs that we put forward in the CARES Act was the Paycheck Protection Program. Now that it has had its headlines, as some folks have said, there are people who have abused it. Well, welcome to government. Every single program that comes out of government will be abused by someone at some time.

We have seen that in the unemployment programs, unemployment insurance has gone out, and it has been widely abused. Well, so have some portions of the Paycheck Protection Program, but we have all seen the long lines at unemployment offices around the country. The reason this was in place—the Paycheck Protection Program—was to do whatever we could to help shorten those lines at unemployment offices, for people to not have to leave and go on unemployment but to stay connected to their small business or not-for-profit. That has worked.

In my State, 65,000 businesses and nonprofits have taken advantage of the Paycheck Protection Program—about $5.5 billion of assistance just in my State.

But there are some things that need to be dealt with. The forgiveness system on it is just coming out—much delayed, much to our frustration, but there are some straightforward things that can be done.

If you are an entity with a loan that is $150,000 or less, there should be a very straightforward process of testimonial—a single page to fill out to complete this. We want to see this.

We have seen some businesses work at the highest need—let’s say businesses with a 35-40 percent, 50 percent—some of them, 70-75 percent loss in revenue from the previous year should have an eligibility to get through this.

Now, some businesses took the Paycheck Protection Program, and they had a 5 percent loss over last year. To me, that is fine because at the beginning of this, no one knew who was going to survive. Many of those businesses are in the process of furloughing: I am going to have to lay everyone off or I can keep them on the Paycheck Protection Program. They kept them on the Paycheck Protection Program and that helped those families have a stable time, where they knew where their check was coming from. It helped those businesses reopen, and many of them are reopening now. It kept them off the unemployment assistance.

Now, the process of the Paycheck protection. It really needs to be focused in on those businesses that are significantly off on revenue that will not survive without some additional help.

We need to be attentive to how we actually handle this and be more strategic. We are not in the same situation that we were in March.

We need to also look at businesses that were funded with private equity. It makes no sense to me that if a business started and got their loan from a bank, they can get a Paycheck Protection Program, but if they got their capital from private equity, they are not eligible for this.

The empirical data that work there don’t know where the capital came from to start the business; they just know they worked there. But for some reason, there is a continual pushback to say: Well, if they were funded with private equity rather than a bank, then they are evil. No, there is some companies doing it. Technology, innovation, healthcare. Those are the kinds of companies that are out there that are being funded with private equity, but yet we have told their employees: You can just go to unemployment, and, literally, the business next door to them: No, you get paycheck protection. That makes no sense. We should fix that.

We should put into this next bill some help for schools that are reopening. Now, not every school is reopening. They are not going to need the same level of help. Some schools are not reopening or they are choosing not to. I understand that. We gave additional funds—$30 billion of funds toward the CARES Act to help schools transition to online learning, to help them get through the process of finding cleaning supplies, do additional training. That was $30 billion that was sent out to do that.

Additional dollars should be helping those schools that are reopening that will have additional expenses. They are going to have to run additional bus routes to make sure they keep kids separated. They are going to have to do A and B schedules, open up their classrooms. There are going to be greater expenses for them, so we should help those schools that are reopening through the process. That is common sense in this.

There has been a big request for an additional assistance check for those that need additional assistance. There are some families who are struggling to make their payments and are going to be evicted.

The $1,200 that was sent out earlier this year went out to help stop that early in the year, and some families are still unemployed and still struggling through this. What are we going to do to help them?

There are some strategic ways to get out some additional assistance, but we should target it to those families of greatest need, and that should be the same with their unemployment assistance.

Unemployment assistance passed in March. There was an additional $600 per week, per person that was sent out on unemployment assistance in addition to the normal State unemployment assistance.

For many individuals in my State, that meant you made more on unemployment than you did on employment. That is a problem long term. Now, this program was set up to be short term; that it would be assistance through the end of July, which has now passed. It was a week ago. But individuals applying for unemployment assistance this week are still getting unemployment assistance in my State, exactly as they were in February exactly as they were in November of last year, exactly as they were in August of last year. Unemployment assistance is still happening in my State, just like it is happening in every other State.

But some want to go above and beyond unemployment assistance that literally takes people to the spot where they make more staying at home than they do at work?

Now, there are some folks who are saying: Well, let’s just work. That doesn’t actually de-incentivize work. Really? Tell that to the folks whom I have talked to who work in manufacturing, who are there at the job working every day, and the person who usually works a pod away from them is at home because they have talked to them, and they are saying: I will come back once my unemployment goes away.

So this person is busting their tail working, making less than the person who is staying at home, and the person staying at home is telling their friend: I will come back when the benefits run out. That is not right for either one of those folks. That tells that person working: You are a sucker for not just staying home and getting somebody else’s money.

We should not incentivize for not working. We should help people get through a very difficult time, and that is what this is, but not discourage engagement in work. The question for the guy or the lady who is still working. That is not fair to the employer that has opened up and saying: I have got jobs available but no one will apply. And that is not right for that family who is staying home, taking money from their neighbors, when they know they could come back and work.

Now, the law says that if you are offered a job and you are on unemployment, you have to take it. But we talk one way to another county already where individuals are not taking the job they are offered, and the employer knows it is one of their employees who is a good employee, and they want
them to come back, so they hate to turn them in. So it puts everyone in a quandary—the employer and the employee because the employer is breaking the law by staying home, teaching their family to do the wrong thing, because it gets them more money. We shouldn't be incentivizing them to break the law.

We should deal with nursing care and senior living. We should deal with hospital care in this bill. Those are the areas that have been the hardest hit in all of America. The largest number of fatalities that we have had and the greatest amount of expense are in that area. We should do something to come alongside them.

We should do something in this bill about filing suits and protections. I have letters and phone calls from universities in my State and from businesses in my State saying they are terrified to re-engage for fear of what is going to happen with lawsuits coming in the days ahead. It's a tough spot.

They want to be able to serve their students at school, they want to be able to serve their customers in their business and the families who depend on that, but they are afraid of an environment that will file lawsuits and will push them to settle or push them into bankruptcy at a very difficult time for them, only because this body will not step up and do basic liability protections.

Now, if there is gross negligence, we should never protect that company. But if they are doing the best that they can, why wouldn't we have basic liability protections for our universities, our schools, and our places of business?

We are in this bill some help for the postal system. There is a lot of debate about what that should be. Is it total reform of the postal system? No, that is not what this is about. But just like we helped the State Department in the CARES Act, we should help USPS in this bill as well.

We have had some pushback on helping some of the areas on immigration. Many of the entities in immigration are totally fee-based. When someone applies for a green card, the courts and our visa system, they pay a fee to do that. Well, obviously, they are not coming in right now, so those areas of our immigration policy are really struggling right now. We should come alongside and help. That is a unique situation in a Federal agency.

We should deal with election issues—maybe not like some people in this body want. In the CARES Act, we included $350 million to the States to help them in their elections for this fall. I know some of that has been used by States because in the bill itself it also required the State legislatures to add matching dollars to be able to come into session, and when we put that out from this body, those State legislatures were going out of session or they were locking down because they didn't know what their expenses would be. So almost no one has taken those funds because their legislatures didn't want to use it and because they didn't have any ability to anticipate what funds would be needed this session, and so there is $350 million of unused money from the last bill that we should just take the strings off and give it to the States. You could use these funds for the election coming up this fall.

Now, there is a big push to say: Let's add another $350 million. Come on, people. Let's read the last bill that we wrote and bring it forward into this bill and fix the problems from the last one. It shouldn't be that difficult.

Our States are going to need help on the elections this year. There will be much greater expenses, but we want to do it as smoothly as possible. We have already allocated them the dollars. Let's allow them to actually use it in a way that they can during this session. But that shouldn't be for just mass mailing of every ballot, Just printing ballots and mailing it to every house doesn't solve the issue; it complicates the issue. But we should help people with their election systems.

And while I speak on State funding, this whole issue of State funding does need to be addressed. During the CARES Act that passed in March, this body gave the States $150 billion. There was also an allocation for healthcare of $260 billion. There was an allocation for education of $30 billion. Why do I bring that up?

The three most expensive aspects in any State budget are education, public safety, and healthcare. Those are the three most expensive portions from any State budget.

This body allocated $260 billion toward healthcare, $30 billion toward education, $150 billion toward public safety and COVID expenses.

Just to put that in perspective, the total budget for every State in America is $900 billion. Every State's total budget combined spending that they do in a year—$900 billion.

My Democratic colleagues want us to give almost $1 trillion to the States for COVID expenses. The total budget for every State by the end of the entire year is just over $900 billion, and they are going to give $1 trillion to them on top of it. That is more than replacing every State budget in America. That is absurd, and that is why these negotiations are so difficult—because it is not reasonable.

They can just throw a number out and say everybody needs this. Replacing the budget of every State in America is reasonable? I don't think so, especially when, we have already allocated $260 billion toward healthcare, $30 billion toward education, and $150 billion toward public safety and COVID response.

The real issue is with the public safety and the COVID expenses because so many of the States—now with this whole “defund the police” movement—don't want to allocate their public safety dollars toward public safety. They want to be able to use it for other things, not public safety.

Well, that is a decision States can make, but they have the flexibility already to use those dollars. Literally, they could pay for every single law enforcement officer in their State—their salary and their benefits would be fully taken care of—but they are saying: I don't want to pay our law enforcement. I want to use it for other things. Well, those funds have been allocated, and they need to make a decision on what they are going to do with it.

Now, there is a lot that could be done with this bill, but my challenge for us is, let's focus on the things that are essential to be done, not the long wish list that people throw into a bill because it is getting big, and they can hide something in it.

Let's keep it focused and let's continue to remember this is a health crisis and it is a season during which we should work across the aisle to solve things that are common sense and not ignore the problem.

I yield the floor.

The PRESIDING OFFICER (Ms. McSALLY), The Senator from Florida.

NATIONAL DEBT

Mr. SCOTT of Florida. Madam President, I rise today to address a topic that Washington has been ignoring for decades. For years, Republicans fought against wasteful spending under the Obama administration. My party argued that our debt and deficits were unsustainable, and they were leaving a burden that our children and grandchildren simply can't afford. Unfortunately, my party has shown an almost equal disregard for the dangers of a growing national debt and annual deficits, as have the Democrats.

Congress spends taxpayer money with no accountability—something you would never do in business or in your personal life—and our Federal Government is borrowing an unprecedented amount of money. Congress borrows money with no plan to pay it back. Our families and our businesses cannot do that. Congress is leaving debt for the next generation. Parents and grandparents don't do that.

This year, between mid-March and late June, the Treasury's total borrowing rose by about $2.9 trillion, and the Federal Reserve's holdings of U.S. Treasury debt rose by about $1.6 trillion, pushing the Federal Reserve to create an artificial market for treasurys to keep interest rates low. This is not sustainable and will have dire consequences. There will come a time when they can't purchase any more treasurys and rates will increase.

When the Federal Reserve can no longer keep interest rates low, everything from car loans to student loans
to mortgages become more expensive for the American people, and the interest on our debt, which is already the fourth largest expenditure in the Federal budget, will become our largest expenditure. For every 1 percent increase in our interest costs, we are going to spend $2 trillion over 10 years. That is more money the taxpayers get no return on.

Even during the economic boom we were experiencing, our Federal Government could not live within its means. Our Government wanted to spend approximately $4.6 trillion while collecting only $3.6 trillion in taxes in one of our greatest economies ever.

Now, as we continue to address the coronavirus pandemic, the Federal Government this year will spend more than $7 trillion and collect much less than $3 trillion. The market is telling us that lenders are not confident this pandemic is being handled in a fiscally responsible manner. We are seeing the price record high and the dollar devaluing, and this is just the beginning.

Now Congress wants to spend more, even though we still don't know how much has already been spent from previous relief packages. What is happening in Washington, DC, is wrong. It is unfair to Americans who work hard every day to take care of their families.

For months, I made a weekly video called “Washington Waste Wednesday” to highlight all the ways Washington is currently wasting taxpayer dollars. It wasn’t hard to find examples. Officials in Washington have failed to make the tough decisions that will put our Nation on a fiscally successful path. It is the most inefficient place you can imagine.

These poor choices mean a day of reckoning is coming. If our financial system comes crashing down because of excessive government spending and borrowing, history suggests we will have runaway inflation, with the price of goods skyrocketing. That will hurt the poorest families and those living on a fixed income. With inflation, fixed incomes will stay the same while the prices for necessities go up month after month. For hourly workers, wages will not grow fast enough to cover the ever-increasing costs of goods and services.

This happened in the United States in the 1970s.

Let’s not forget about the mandatory spending programs that Congress takes no accountability for. Medicare is running out of money. When Medicare runs out of money in 2026, either doctors and hospitals will be paid significantly less or Medicare recipients will receive less care. Medicaid costs are increasing by about 5 percent a year. Social Security will run out of cash reserves by 2035. At that time there will be an automatic 20-percent reduction of Social Security payments.

Our country is like a failing business without a plan. We can’t accept this fate.

I ran for Governor of Florida in 2010 because I could not stand to watch the fiscal mismanagement by politicians anymore. Over my 8 years as Governor, we made the tough choices to turn the State around. We grew the economy by over 30 percent, added almost 1.7 million new jobs, paid down almost one-third of State debt, and cut taxes by more than $10 billion. I was the first Governor in 20 years to actually pay down State debt.

I ran for the U.S. Senate to do the same thing at the Federal level. I was tired of watching career politicians in Washington spend other people’s money without a care. Washington seems to have forgotten that trillions of dollars in new spending means trillions in tax increases somewhere down the road. They want short-term solutions regardless of consequences.

Career politicians say they care about you. When they run huge deficits, do they care about you? When they raise your taxes, do they care about you? When they overpromise benefits for Social Security without a funding source, do they care about you? When they overpromise Medicare benefits without a funding source, do they care about you?

Maybe the intentions are good. Who knows? But, unfortunately, you can’t pay for Social Security with good intentions. You can pay for Medicare with good intentions. You can’t build a lethal military with good intentions. And you can’t open a business with just good intentions. These good intentions have created $27 trillion of debt that our children and grandchildren will have to answer for. Now they want to spend another $3 trillion. It is time to wake up.

We can fix this and put our Nation on a fiscally responsible path. We fix this by doing what I did in Florida. We need to focus on cutting taxes and burdensome regulations, and streamlining permitting. We fix this by helping every American get a good job. We fix this with a focus on buying American, with the understanding that buying products made by our adversaries, like Communist China, hurts American jobs and manufacturing and threatens our national security. We fix this by making good trade deals with other freedom-loving countries, and we fix this by getting a return on every taxpayer dollar we spend.

Turning around a failing business is hard. I have done that. Turning around a failing State is also hard—even harder. I have done that. Turning around the future of a nation sounds impossible, but it is not.

If elected leaders don’t want to do the hard work—and it is going to be hard—then they should go home. They can no longer hide behind the cowardly excuse of political expediency.

Politicians in Washington are afraid to tell you the truth, so here it is: If we want our country to survive and thrive and continue to be a beacon for freedom, prosperity, and hope around the world, we will need to make tough choices. We will need to be more productive, and we cannot rely on government programs paid for through more borrowing. We will need to reassert the fundamental principle that the private sector and individuals—not the government—should be the driving forces behind our economic stability and success.

As long as I am a Member of the U.S. Senate, I will fight to rein in the out-of-control spending that is putting our children’s and our grandchildren’s futures at risk.

I suggest the absence of a quorum. The PRESIDING OFFICER. The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. LANKFORD. Without objection, it is so ordered.

ELECTION SECURITY

Mr. GRASSLEY. Mr. President, history has a way of repeating itself. If we don’t learn from the mistakes of the past, we are apt to repeat them. As the November election draws near and as foreign adversaries again seek to meddle in our democracy, let’s review our history so we can better identify and prevent future threats.

In late July 2016, Obama’s FBI opened an investigation into the Trump campaign that ended up spiraling out of control for years—4 years. The investigation was ultimately based, in large part, on what is known as the Steele dossier, which was a bunch of unverified claims from Russian Government sources. It happens that this dossier was paid for by the Democratic National Committee and by the Clinton campaign.

We know that its author, Christopher Steele, simultaneously pitched those same unverified claims to U.S. media outlets, which then reported on them without even testing their veracity. That is not responsible journalism.

We know that Members of this Senate publicly seized on those unverified media reports to attack their political rivals. They even made references to the “secret FBI investigations” to give the unverified, foreign-sourced claims a veneer of credibility. We know that those unverified claims became part of the focus of a sweeping and unnecessary multiyear investigation by some of the Justice Department’s most aggressive prosecutors.

In the end, they found no crime by the campaign or President Trump, despite the dossier’s allegations. Also, that shameful and damaging episode was promoted and directed by government officials and breathless broadcasting by the press and the opposing political view.
Of course, now it is undergoing a postmortem. What we are finding out isn’t very pretty, and the people behind it ought to be ashamed—ought to be very ashamed.

We have learned that some of those now—now being reviewed for claims of collusion with a foreign adversary were actually sourced to that same foreign adversary. In other words, those claims were assessed to be Russian disinformation. Democrats got duped into falsely accusing political rivals of doing the very thing they were actually complicit in.

We have learned that senior FBI officials had such disdain for President Trump that they pushed the unverified information despite repeated warnings of its flaws. They wanted to believe so badly in the politically convenient narrative that they failed to do their jobs. They lied to a court to spy on the campaign, and lied their way into the U.S. into a special counsel investigation.

I could go on about the harmful consequences of hysteria that consumed the last few years, but the lesson from it all is very simple: Our adversaries will do anything to hijack our political differences to sow discord and distrust. Our adversaries want us at each other’s throat. So long as we are fighting amongst ourselves, they win.

Why do I bring this up now? Because exactly 4 years later, we are watching the same thing play out again today. If we aren’t careful, they will win again. Just like in 2016, foreign sources are pushing unverified material about political candidates; just like in 2016, that material has reportedly incriminating FBI investigators; just like in 2016, the press are using the unverified foreign sources and their claims to suggest collusion between Republicans and foreign adversaries.

Let me be clear. My investigation with Senator JOHNSON did not begin with the Obama administration formulated its Ukraine policy, which then-Vice President Biden oversaw while his son was on the board of a corrupt Ukrainian natural gas company that was under investigation. Did the corrupt firm get special access or special treatment because of its ties to the Vice President’s son? We should know that. Did the Obama administration appropriately address any conflicts of interest? We should know that. In fact, the American people should know that.

In pursuit of those facts—now, following the leads where they take you, so I say, in pursuit of the facts, we have requested records from the State Department, the Department of Justice, some other Federal agencies, and the U.S. consulting firm Blue Star Strategies. We have also talked with current and former U.S. Government officials.

Isn’t this odd? Apparently, Obama administration records and speaking with Obama administration officials is, to our Democratic friends, foreign or Russian disinformation. Isn’t that odd? As Senator JOHNSON and I noted to our Democratic colleagues in a letter when we answered their letter—if it is, then that means the Obama administration routinely peddled it as well.

Democrats have suggested that the cause of their concern is Andrii Telizhenko. In March 2020, the Homeland Security and Governmental Affairs Committee sought to subpoena him only for records from his yearlong employment with Blue Star Strategies—a Democratic consulting firm that lobbied the U.S. Government on behalf of the Biden-connected Ukrainian energy firm. Blue Star also had contracts at the highest levels of President Obama’s administration. Notably, Mr. Telizhenko had working relationships with Obama administration officials.

I don’t recall ever any Democrat raising concerns about Mr. Telizhenko being a national security threat while he was meeting with the Obama administration. But suddenly, he becomes one when Republicans ask for records involving his time at a Democratic lobby shop.

Truth be told, the Democrats should know a thing or two about Russian disinformation. Investigative work by me and Senator JOHNSON has revealed now declassified intelligence reporting that parts of the Steele dossier were parts of the Russian disinformation campaign.

I am not aware of the Democrats commenting publicly on this very disturbing revelation. Where is their outrage about concerns of actual Russian disinformation contained in the Steele dossier and at the same time Russian disinformation paid for by the Democratic National Committee and Hillary Clinton?

The Steele dossier is the very, very definition of election interference, and yet we hear no objection from Democrats. Did the Democrats and the Clinton campaign know that the dossier was filled with Russian disinformation and run with it, anyway, knowing it would cause damage to Trump, his campaign, and his administration?

Is Russian disinformation synonymous with Democratic National Committee disinformation? Maybe the Democrats don’t want to look under the hood of the fake Russia investigation because—because they would be front and center.

I would like to remind my Democratic colleagues that I ordered my staff to interview Donald Trump, Jr., and Rags George, on the leaks of my time as chairman of the Judiciary Committee, and we did so. At the same time, ask yourself if I ever requested an interview with Hunter Biden. If I did that, how would the Democrats react?

My fellow Americans, this is where we are at now. The Democrats live by the motto “Do as I say, not as I do.” Yet they accuse me and my colleague, Senator JOHNSON, of playing politics and engaging in a disinformation campaign.

The hard truth is, it is the Democrats who are engaged in a disinformation campaign all because the facts don’t fit their political narrative. Their silence regarding the Steele dossier and fake Russia investigation, yet complaints about my legitimate oversight investigation, is proof of that.

In conclusion, these recent media reports ring on the leaks of Democrats’ classified documents, which they hadn’t shared with their Republican colleagues. Only after the stories were published—want to emphasize, only after the stories were published—were I and my staff able to review the Democrats’ documents.

Their letter is full of cherry-picked lines designed to shoehorn Republicans into warnings of a very real threat that faces all of us. Their letter attempts to cast Republicans as unwitting pawns in foreign disinformation, but it appears that the Democrats are playing the role as a useful idiot for foreign adversaries.

These leaks only further distort the content of their letter. In no conceivable way do the facts support the Democrats’ and the media’s preposterous narrative.

Here is what really bothers me the most. My Democratic colleagues have known me for a very long time. They know who I am. They know where to find me. And they know that if they were so concerned about what I was allegedly up to, they should have just asked me all of those issues with me. This nonsense of orchestrated leaks to plant stories and falsely accusing me of dealing in disinformation based on actual
COVID–19 HEROES

Mr. BLUNT. Mr. President, I want to talk about two topics today. One topic I was reminded of when I was in St. Joseph, Mo., over the weekend, was talking to healthcare providers and volunteers of all kinds who are trying to do what they can to help us emerge from this pandemic stronger than we were to start with.

Certainly, what first comes to mind is the healthcare workers themselves—the medical workers, doctors, nurses, and support staff whom we have relied on from the very first moments that we became aware that this virus was bigger than any health issue we have dealt with in a long time. We are still depending on them today. At some point someone can run out of some of the capacity and steam that you have to do the job that needs to be done, but we see these heroes continuing to step up, and some giving their lives.

Billy Birmingham, in Kansas City, was an emergency medical technician. He was with the Kansas City Fire Department, and he died of coronavirus in April. His son described Billy as selfless. He said Billy had decided he wanted to find new ways to help people. So he reinvented himself as an EMT when he was in his 40s so he could help others. He was an EMT for about 22 years.

We have relied on the emergency medical technicians and first responders out there saving lives, bringing people into the hospital who are in a desperate situation, infectious, as many of them can be, and not sort of the height of suffering and unable to do much to help you help them, but we see that happening. We are benefited by it, and we see a lot of sacrifice in the community.

There are people such as Heather Black at the Harry S. Truman Memorial Hospital in Columbia, MO. She donated 623 hand-sewn masks for her colleagues and the veterans at the facility whom they care for. She brought her sewing machine to work so that she could make masks during her free time before and after her shift and during her breaks. One of her colleagues said: You have to be just literally awed by somebody that dedicated to helping people. Remember that she is making masks, and between the breaks she is helping care for the patients at the veterans hospital.

We see people finding different ways of being heroes in their communities. Dozens of people in Cape Girardeau, in May, decided to put a parade together for residents of the veterans home who were unable to have visitors. The veterans got to the windows and the dozens of people down below doing what they could to present a Memorial Day kind of parade. There are groups in St. Louis and other places, but particularly the one I was thinking about in St. Louis. They went around and collected food items, and they took those to people who had lost their jobs, who were suffering from the pandemic, who were isolated.

I talked today to a number of people in the behavioral health area who understand that, at moments like this, people who have behavioral health issues have legitimate reasons for those issues to begin to pile up on them. You are isolated. You are sick or somebody in your family is sick. You have lost a job or somebody you know has lost a job. And those issues get bigger.

Then we see businesses who figure out how to use their unique set of resources, which might be, to make things happen. When we find it hard to get hand sanitizers, a number of distilleries went into the hand sanitizer business. Anheuser-Busch, which is not a distillery but a brewery, used their brewery facilities to produce more than a half-million bottles of hand sanitizer and then they used their distribution system to get those half million bottles in the communities and places around the country where they would do the most good.

Bass Pro Shops, in my hometown of Springfield, donated 1 million face masks to healthcare workers on the frontlines. From delivering trucksloads of critical supplies to simply checking in on our neighbors, there are thousands of stories to tell in towns across Missouri and in towns in Georgia, where the Presiding Officer lives. There are people doing all they can to make this terrible situation less terrible and this challenging situation less challenging. We are grateful to them.

I know a number of people have come to the floor today to talk about those heroes and how they serve us. COVID–19 TESTING DEVELOPMENT

Mr. BLUNT. Mr. President, the second topic I wanted to talk about is that we spend lots of time discussing what to do in this next phase of dealing with the coronavirus legislation. I want to talk about something we did early that the results have produced.

In April, Senator Alexander and I proposed that the National Institutes of Health create a “Shark Tank” program for scientists to develop new technologies for COVID–19 testing. NIH selected 7 companies that program very quickly. We gave them the authority and money to do it, but they did in a week what they normally would have done in 6 months.

They have been working overtime ever since with the private sector and with BARDA, or the Biomedical Advanced Research and Development Authority, to meet the tremendous need for quicker and earlier tests.

The Presiding Officer and I talked about this just the other day. The President is right in his view that some of these tests only tell us information that gives us more data. We need tests that are quicker and have an immediate response. When you get a test and you don’t have a response for 5 days, that really doesn’t do anybody a whole lot of good. You have been moving around for 5 days, maybe without symptoms, and you don’t know that you are continuing to spread the virus.

If you had known in 5 minutes or 15 minutes what it took you 5 days to find out, many less people have gotten the disease if you had known what you needed to know when you needed to know it?

We need tests that give accurate results in minutes, that are easy to take, and are inexpensive—tests that may cost from a $1 to $5 or $6, that give you an immediate response. So that is what we asked of this program at the National Institutes of Health to work on, to put together scientists, researchers, and engineers to come up with their boldest ideas.

So far, since April 29, 650 applications have been submitted with ideas from single individuals or businesses who say: I think this would work. That would be sort of the starting point. By the way, a lot more than 650 people had “this will work” ideas, but when NIH sat down and looked, they came up with 650 applicants they thought needed careful looking. Thirty-one of those projects have gone into phase 1 testing. They go through a process of validation, seeing if the likelihood that this will work is as great as what the scientists, engineers, and technologists who populate the shark tank thought it would be.

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as next month. Some of them are the type of rapid tests that give a result on site.

One test uses a handheld device that can detect the virus within 30 minutes. Another test company has developed a way to hold onto so long that now handle hundreds of tests can handle tens of thousands in the same period of time. These kinds of technologies and others are essential if we want to get our society fully reopened. In early April, there was an average of 145,000 tests a day. Today, we are running about 800,000 tests, but often they are not the kind of tests we need, and they are not the numbers we need. We need tests that millions of people can take dozens of times. We need tests for every person who walks into an office or a factory or a nursing home or a school or a childcare center so that there is confidence in knowing they are not bringing the virus into that center. It is all women and I think it is one that we are going to clear.

The HEALS Act includes another $15 billion for testing to help in our priorities, which are nursing homes and daycare, which that centers, elementary and secondary schools, colleges and universities. Those are areas where we think the government itself has an extraordinary obligation to make the difference. That $16 billion, added to the $9 billion of money for this purpose that hasn’t been spent up until now, means that we have that kind of big investment to see that people have tests that work for them and work quickly.

For this to happen, Congress has to act. Congress has to move. We have to be supportive of efforts that get our society back to school, back to work, back to childcare, and back to better health.

I yield the floor.

The PRESIDENT PRO Tempore: The Senator from Alaska.

CORONAVIRUS

Ms. MURKOWSKI. Mr. President, I appreciate the remarks of my colleague, Senator BLUNT, and the effort he has made to really focus in on how we can ensure there are appropriate levels of testing as we respond to this COVID pandemic. We recognize that the technologies, treatments, and vaccines are what will get us there.

In the meantime, there are many men and women across the country who are doing extraordinary work responding on the healthcare side, as well as responding as we deal with the economic impact and the economic fallout due to the COVID-19 pandemic.

There are a lot of challenges—extraordinary challenges, all over the country—challenges to the health sector, to our economy, and to our everyday life. I think it is fair to say that the last 6 months have been emotionally exhausting for people.

We have heard this before. We are all ready for COVID-19 to be over, but the virus is not ready to be over with us.

We are adjusting to a new normal, and as we deal with it, I think it is important to acknowledge the individuals really, the heroes—in so many of our communities who have saved lives and really provided a level of care and compassion throughout it all. Like all States, Alaska has been severely impacted by this pandemic. Last week was a pretty rough week for us. We were included among the States with the fastest growing numbers in terms of rates of transmission. That seems to be tapering a little bit right now but only with very aggressive measures.

In my hometown of Anchorage, our mayor has resumed the hunker-down mode for us in terms of restaurants and bars being closed to indoor dining or a recognition that many of the advances we had been able to move forward on are now being ratcheted back. There are also additional travel restrictions.

For us, it is a time of year when our communities would be welcoming droves of tourists, all coming to enjoy the best of Alaska, but this year, our season is all but eliminated, almost nonexistent. Certainly, when it comes to recognizing the voices of our industries that now handle tens of thousands in the same period of time. These kinds of technologies and others are essential if we want to really focus in on how we can ensure there are appropriate technologies and others are essential if we want to make the difference. That $16 billion, added to the $9 billion of money for this purpose that hasn’t been spent up until now, means that we have that kind of big investment to see that people have tests that work for them and work quickly.

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The PRESIDENT PRO Tempore: The Senator from Alaska.

ECONOMIC RECOVERY

Ms. MURKOWSKI. Mr. President, I appreciate the remarks of my colleague, Senator BLUNT, and the effort he has made to really focus in on how we can ensure there are appropriate levels of testing as we respond to this COVID pandemic. We recognize that the technologies, treatments, and vaccines are what will get us there. Now, we think it is important to acknowledge the individuals really, the heroes—in so many of our communities who have saved lives and really provided a level of care and compassion throughout it all. Like all States, Alaska has been severely impacted by this pandemic. Last week was a pretty rough week for us. We were included among the States with the fastest growing numbers in terms of rates of transmission. That seems to be tapering a little bit right now but only with very aggressive measures.

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The PRESIDENT PRO Tempore: The Senator from Alaska.
been a mark of success in terms of being able to identify and then isolate and then keep the virus from transmitting.

She is now very, very focused on how we safely return our kids back to school. I had a long conversation with her a few days ago. She says that this is the ultimate challenge in that it is not just how we reopen schools but how we keep our schools open after that. That is our challenge.

She shared with me—she said: I thought that bringing together the plans and the protocols for the seafood processors was going to be challenging and difficult in these very remote communities where they have limited healthcare in the event that you have the virus spread. That was difficult, but getting our schools open and keeping them open safely—this is the biggest challenge.

She said that schools are now her new seafood processors. So she is taking up the challenge aggressively.

Dr. Zink reminds us that at the end of the day, what we have to stay focused on is keeping people safe, keeping our families and our workers safe. This is a moment about all of us and how we respond during this great time of need.

I am extraordinarily thankful for Dr. Zink’s leadership, both out in front and behind the scenes as she works with the many extraordinary Alaskans who are stepping up to make a difference as we take on the daily challenges and battles that face us with the COVID–19 response.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

COVID–19 HEROES

Mr. HOEVEN. Mr. President, I rise today to join my colleagues in honoring those who serve and have helped their communities to overcome challenges during the COVID–19 pandemic.

There are many everyday heroes who deserve recognition. We have seen the efforts of our first responders, law enforcement, teachers, postal and delivery employees, and store workers, among others, who have continued providing essential services in spite of the challenges brought on by the coronavirus.

As chairman of the Senate Appropriations Subcommittee, I have spoken many times about the critically important work of our farmers and our ranchers.

I see I am joined here on the floor by our Agriculture Committee chairman. I know he has been down here as well pointing out how our farmers and ranchers, who provide the highest quality and lowest cost food supply in the world in tough times and even in times when we face something like a pandemic.

Today, I would like to recognize the valiant efforts of the healthcare professionals in my State and across this country. In the midst of the virus, our North Dakotans are doing—doctors, nurses, and many others working in hospitals and clinics across our State.

North Dakota’s healthcare professionals have been working around the clock to prevent the spread of this virus and to treat those affected by COVID–19.

One example is Dr. Chris Pribula, a graduate of the University of North Dakota Medical School, who worked with a team to set up the COVID Care Unit at Sanford Hospital in Fargo. He was on duty when the first COVID patient arrived at the hospital and remained on duty for the next 18 days straight to make sure that staff and patients had what they needed.

Over the past several months, I have held a number of roundtables with healthcare professionals in North Dakota. As we have discussed issues and challenges, one thing is clear: Our healthcare professionals are diligent and dedicated in their efforts to prepare for and prevent the spread of coronavirus and to provide patients with the best possible care.

Another individual highlighted by his colleagues is Dr. Kremens, a critical care physician at Essentia Health who intubated and managed multiple critically ill patients at once. Dr. Kremens is a good example of the many intensive care and emergency department physicians and nurses who have fought on the frontlines of the pandemic and continue to do so.

We are grateful for the dedicated service of the many healthcare professionals in North Dakota and recognize that they and their loved ones have made many sacrifices during this health emergency.

We worked to provide our health providers with much needed support in the first three phases of the coronavirus relief legislation. For example, under the CARES Act, North Dakota rural hospitals and providers have received $135 million to help with their efforts to combat COVID–19. As negotiations continue on the next phase of relief, healthcare remains a top priority.

While our healthcare providers have been working diligently, I would also like to recognize how members of our communities have stepped up to help our medical professionals as well.

An example of the community stepping up to meet the challenge during the pandemic is Proof Artisan Distillers, a small craft distillery in Fargo, ND. Back in March, Proof Artisan Distillery responded to the community need. Working with Dr. Joel Kath, a small craft distillery in Fargo, ND, they began producing sanitizer for healthcare, assisted living facilities, first responders, law enforcement agencies, and to provide patients with the best possible care.

We have heard the term ‘hero’ a lot during this pandemic. I believe the title is warranted to describe the many Kansans and, for that matter, all Americans who are doing extraordinary work and making great sacrifices to make this country safer and healthier.

Today, I want to talk about the heroes—the special heroes in agriculture: our farmers, our ranchers, our growers. They are every employee, and store workers, as well as our healthcare providers for their dedicated effort to fight this virus. We recognize the challenges they face, and we are truly grateful for their hard work. They are, in fact, truly everyday heroes.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

COVID–19 HEROES

Mr. ROBERTS. Mr. President, I rise today to join my many colleagues in recognizing the extraordinary work and making great sacrifices of the farmers, ranchers, growers, everybody in the food chain—and my thanks to Senator ERNST for really starting this, making a great speech last week. We are all trying to follow up with the same message to shine a spotlight on our Nation’s COVID–19 heroes.

We have heard the term ‘hero’ a lot during this pandemic. I believe the title is warranted to describe the many Kansans and, for that matter, all Americans who are doing extraordinary work in tough times and making great sacrifices to make this country safer and healthier.

Today, I want to talk about the heroes—the special heroes in agriculture: our farmers, our ranchers, our growers. They are every employee and store workers, as well as our healthcare providers for their dedicated effort to fight this virus. We recognize the challenges they face, and we are truly grateful for their hard work. They are, in fact, truly everyday heroes.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.
the food on our dinner tables and make sure our supermarket shelves are stocked.

These producers are facing low prices, regulatory overreach, a challenging trade environment, and drastic and sudden changes in demand for greenhouse crops and animals. To top it off, net farm income is estimated to drop by nearly $30 billion as of this year. Despite all these challenges, they have continued to produce even more with less.

American farmers and ranchers are so efficient at their jobs that we are able to enjoy the most affordable food of any country in the world—and the most safe. We also have the safest and most ample food supply.

That is why I consider—as well as all of my colleagues on the Agriculture Committee and others who are privileged to represent farmers, ranchers, and growers—that they are true heroes. From the standpoint of a troubled and hungry world is what farmers do day in and day out, but especially at times like this, it is nothing short of heroic. We have taken steps to address the needs of our Nation’s farmers and ranchers, and in recent months—in March—unanimously, we passed the CARES Act.

I would say that would be a goal we might want to achieve with the Heroes Act scaled down to whatever we want to call it—and also the HEALS Act. At any rate, it was unanimous back then, and that funded the Department of Agriculture to address the needs related to the pandemic, among a lot of other things.

We included $9.5 billion for Agriculture Secretary Sonny Perdue to deliver emergency support for those in agriculture and the food industry who suffered losses due to the pandemic, and we included $14 billion partial reclamation for the Department of Agriculture Commodity Credit Corporation to provide additional assistance to affected producers. This legislation ensured the continued implementation of our 2018 farm bill programs, which do provide certainty and predictability at a time when both are scarce.

We also provided additional resources for telemedicine, broadband connectivity, as well as business and industry loans. The CARES Act also supplied the Department with the resources to mandatorily expand telehealth services to ensure our food safety and minimize potential interruption in the food supply chain.

COVID–19 created a ripple effect that we have felt from the farm to the supermarket. The agriculture and food sector, along with the administration, the CDC, and OSHA have all implemented practices and policies that address worker health and safety in our processing plants. Keeping America’s meat and poultry processing system functional is a difficult, but we are making progress—as was boosting worker safety and protection in these plants.

Now we must take what lessons we have learned in the past few months and build upon this progress. I am privileged to be the chairman of the Senate Committee on Agriculture, Nutrition, and Forestry. I have worked on the role of addressing rural America’s priorities in the framework of a fourth COVID–19 relief package, as have all members of the committee, both Democrat and Republican.

This week, we are considering legislation with the hopes of a bipartisan solution that all know and we anticipate this process will go through several twists and turns before a final agreement is reached, but we must provide solutions. The entire country is truly counting on us.

In closing, I want to again thank our farmers, our ranchers, and our growers all across the country who have continued to do their job during these very difficult times, and I want them to know that we are continuing to work as hard as we need to continue to feed not only our country but a very troubled and hungry world.

The PRESIDING OFFICER. The Senator from Mississippi, the Chair of the Agriculture Committee, Mr. President, as we debate the need for additional coronavirus relief funding, I am pleased to join my colleagues in commending the millions of Americans who have gone above and beyond to help others during this pandemic.

Throughout the history of our Nation’s history, everyday heroes emerge in times of turmoil to aid their neighbors in so many ways. The COVID–19 pandemic is no exception. In every corner of my State, Mississippi’s first responders and healthcare providers are historically stepping into harm’s way to provide care to patients affected by the virus.

REMEMBERING WILLIAM DAVID MARTIN

Mrs. HYDE-SMITH. Mr. President, as we debate the need for additional coronavirus relief funding, I am pleased to join my colleagues in commending the millions of Americans who have gone above and beyond to help others during this pandemic.

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COVID–19 HEROES

Mrs. HYDE-SMITH. Mr. President, rural hospitals like King’s Daughters Medical Center in my hometown of Brookhaven have always been the backbone of healthcare in Mississippi. The work of the staff at these rural hospitals during the pandemic has been remarkable.

Dedicated nurses like my friends Larue Lambert, Tammy Livingston, Misty Britt, Christina Miller, and their coweworkers—which are so many—told every day under heavy stress and heart-wrenching situations to care for patients and their families. They are lifesavers, and they are best friends to total strangers. They take on extra administrative duties while doing what they can to keep morale up. They are healthcare heroes who are enduring extreme conditions.

Doctors like Dr. Jeff Ross are working through both physical and mental exhaustion. Yet we do their job, selflessly managing the care of their fellow Mississippians.

In the heavily affected Jackson metropolitan area, the University of Mississippi Medical Center has used its unique capabilities to bear. In the early days of the pandemic, its research labs rushed to create its own in-house COVID test. And the UMC National Telehealth Center of Excellence in Tupelo, stepped up to provide technology to triage patients for testing and provide socially distanced care.

I greatly admire UMC’s work with the Federal Government on best telehealth practices during a pandemic. As institutional treatment has progressed, UMC researchers and healthcare providers have stood up eight cutting-edge COVID clinical trials in their new clinical trials unit.

Our healthcare providers aren’t the only ones who have been working to protect the health of Mississippians. Industries across the State have quickly pivoted to provide needed supplies to fight COVID–19. For example, distilleries like Wonder Distillery in Tylertown, Cathead Distillery in Jackson, and Lazy Magnolia Brewery in Kiln made the quick decision to begin producing hand sanitizer early in the pandemic. Furniture companies, like Confortaire in Tupelo, stepped up to produce needed PPE for the North Mississippi Medical Center and our local schools. And Mississippi Prison Industries, a nonprofit that gives incarcerated individuals the opportunity to be employed and gain work experience, is producing up to 15,000 masks and 7,000 isolation gowns per day.

Since the start of this pandemic, I recognized that we are dealing with two emergencies. There is the healthcare emergency and the economic emergency. I am proud of the many ways in which Mississippians are helping each other weather these difficult economic times.

Colleges and universities worked around the clock, 7 days a week, to help small businesses access the Paycheck Protection Program loans. Our friend Brad Jones at the Bank of Franklin in Meadville, MS, was so helpful in keeping me abreast of the needs of our local business owners. Because of their efforts, Mississippi ranked No. 1 in the entire Nation in PPP loans, with nearly 50,000 loans processed. This tireless work is helping small businesses stay open with their employees at work.

Ensuring Mississippians have access to food has been a challenge. A Mississippian who has been a godsend to
many families are Andy Mercier, who leads Merchants Foodservice in Hattiesburg. In partnership with the Mississippi Food Network, his 800 employees have remained on the payroll and worked to provide more than 100,000 gallons of milk and nearly half a million food produce boxes to those in need.

These USDA Farmers to Families boxes filled with food products from Mississippi farmers and producers have sustained families and helped our hard-hit agriculture.

In addition to efforts in the private sector, our churches and nonprofits across our State are also working tirelessly for Mississippians. St. James United Methodist Church in Columbus coordinated with a Delta catfish producer to distribute five tons of Mississippi farm-raised catfish to those in need in the Golden Triangle region.

Finally, I could not stand up here today and fail to mention our Mississippi military and veterans, especially as so many schools across our State are beginning the new academic year this month.

Last spring, our teachers accepted the challenge and quickly transitioned their classrooms to a new kind of learning through technology and other socially distanced means. While these challenges continue as schools navigate how best to serve students this fall, each and every one of our teachers will be in my prayers over the next few weeks.

In every facet of our society, we have heroes standing up to help their neighbors during unprecedented challenges. To all of the healthcare workers and first responders on the frontlines against this virus, to all the researchers racing to test treatments and develop protocols, to all of the people making hand sanitizers and PPE to help prevent the spread of this virus, to all the bankers and small businesses working to keep people on the payroll, to all of our farmers, ranchers, food distributors, and grocery store workers keeping food on the store shelves and on our tables, to all of our churches and nonprofit organizations serving our communities, and to our teachers who are facing challenges they could have never imagined, from the bottom of my heart, I say thank you. Your heroic labors are noticed, and they are deeply appreciated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

COVID-19 HEROES

Ms. ERNST. Mr. President, I want to thank my colleagues today—the Senator from Mississippi, the Senator from Kansas, and so forth—for coming down and spending just a little bit of time talking about the wonderful heroes we have in our home States, and we really don’t get to spotlight them.

While the country is anxiously awaiting Washington to come together and pass an updated COVID relief package, we are truly blessed to have everyday heroes back in our 50 States who are working around the clock to help out their neighbors.

Essential workers haven’t taken a break. They have been keeping our country up and running just during this global pandemic but every single day. I have heard, time and again, stories of Iowans helping Iowans. Folks are volunteering their time and their talents to serve their communities and ensure no one feels alone during this time of social distancing.

When my friend Iowa Governor Kim Reynolds announced that there was a shortage of face masks to protect frontline workers, Iowans, including my own mother, started sewing.

Deb Siggins of Lisbon, IA, has made more than 400 masks that she donated to a local hospital, her friends, and coworkers, the local fire department, and elderly patients. She has even turned a tree near her home into a “giving tree” decorated with her homemade masks for people to take, which she is constantly updating. Deb plans to keep making them because they are no longer needed because she believes that sewing is her gift from God, which she can use to help others.

Mary Shotwell of Des Moines wanted to give back to those helping her during this pandemic. In “i-sew-lation,” as she describes it, Mary sewed masks for her entire neighborhood and healthcare workers at Broadlawns Medical Center.

In addition to the demand for masks, there has also been an increased need for food, especially to feed our hungry kiddos. Linn-Mar teacher Carla Ironside, who hasn’t seen her students in the classroom since March, now sees some of them when they pick up meals at Freedom Luriehouse to Youth in Marion and Cedar Rapids, where she volunteers. Carla says the opportunity to serve these meals helps calm her anxious mind, knowing her students are fed. She said: “I get to see their smiles and it helps me, and I think it helps them.”

But it is not just our wonderful teachers; students are doing their part too. Allie Stutting of Princeton, IA, who is a University of Iowa student, launched an effort to mobilize her peers to serve and protect those at heightened risk. Worried about the threat COVID posed to her grandparents and the elderly, Allie set up a network among people called the Iowa City Errand-ers to get groceries and food, pick up prescriptions, and run other errands for older folks and others in need. Allie’s idea has inspired an army of over 400 volunteers—yes, 400 volunteers, and growing.

The story of these everyday heroes continues. To keep those who are venturing out safe, ambassadors from Operation Downtown are walking around Des Moines, cleaning and sanitizing handrails, door handles, parking meters, and other high-touch surfaces.

Julie Skalberg, an Operation Downtown ambassador, explains that it is an effort to help folks feel secure during what can be a very scary time.

Despite the potential risk, Cynthia Allen—another Operation Downtown ambassador—says she feels that it is an honor to give back to our community.

Folks, the actions of these and many, many others like them doing in and doing their part are examples of what I like to call “Iowa Nice.” For each of them, serving others is not a chore but, rather, a gift greeted with gratitude.

At a time filled with immeasurable uncertainty, these heartland heroes are bringing comfort to their communities, including complete strangers, many who are isolated and alone.

Defeating this virus will require the development of an effective vaccine, and Iowa is helping to lead the way in this effort. Right now, the hard-working folks at the University of Iowa’s Medical School are working with Pfizer to develop a COVID-19 vaccine. In the annual Defense Appropriations Act that recently passed the Senate, I helped increase funding for these types of studies and developments.

The efforts of our bright young Iowa college students, combined with the work of Operation Downtown and the administration, provide great hope for the future development of cures, treatments, and vaccines. Now, as we wait for the results, let’s not forget the hope that the stories of our everyday COVID heroes bring. It is the Iowa way: step up, help others and do your part—meeting the needs of family, friends, and even strangers.

Folks, I have said it before, and I will say it yet once again here today: We will get through these challenging times, and we will do it together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for a quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIUMOUS CONSENT REQUEST

Mr. DURBIN. Mr. President, I have come to the floor again today to speak about an obscure section of immigration law that has a direct impact on the lives of literally millions of people living and working in the United States. I am here to speak about the plight of immigrant workers who are suffering because of a serious problem in our immigration system, known as the green card backlog. Many of these immigrants are essential workers helping us fight the battle against COVID-19. We have just heard tributes on the floor to these healthcare heroes from Senators on the other side.
This green card backlog, which I speak to, puts them and their families at risk of losing their immigration status and being deported from the United States. Under current law, there are not nearly enough immigrant visas—also known as green cards. For each visa issued, many immigrants are stuck in crippling backlogs for years, waiting and praying for the moment when their number comes up.

Close to 5 million future Americans are in line, waiting for these green cards, including 1 million immigrant workers and their families. Despite this number—5 million—there are only 226,000 family green cards and 140,000 employment green cards available each year.

These backlogs are really hard on families. They are caught in immigration limbo. What happens to the children is particularly awful. Children in many of these families age out while the parents are waiting for the green cards. That means they reach the age of 21, and then these children, as adults, face deportation because they are no longer under the age of 21 by the time the green cards are available.

The solution to the green card backlog is so clear: Increase the number of green cards. I have introduced legislation known as the RELIEF Act with Senator PAT LEAHY and Senator MAZIE HIRANO. The RELIEF Act would increase the number of green cards to clear the backlogs for all immigrants waiting in line for green cards within 5 years. The RELIEF Act would protect aging out children who qualify for a green card based on the parents' immigration petition.

This RELIEF Act is not new; it is based on the bipartisan 2013 Comprehensive Immigration Reform bill. I know a little bit about it. That bill was written by eight Senators, and I was one of them. Four Democrats, four Republicans. We worked for months. We took the bill through the Senate Judiciary Committee. We faced 200 amendments, I believe, and then brought it to the floor, subject to even more amendments. At the end of the day, that bill passed with a strong bipartisan vote of 68 to 32 on the floor of the Senate. But Republicans, who controlled the House of Representatives, refused to even consider this comprehensive immigration bill. If they had, we wouldn’t be here talking about the problems we added to it eliminated the green card backlog.

Unfortunately, some of my colleagues on the Republican side are still unwilling to increase the number of immigrant visas even by one. They want to keep these immigrant workers on temporary visas where they are at risk of losing their immigration status and being deported.

The senior Senator from Utah, Mr. LEZ, introduced a bill, S. 386, known as the Fairness for High-Skilled Immigrants Act, to address the green card backlog. I have a basic concern with Senator LEZ’s bill. S. 386 includes no—no—additional green cards.

Without additional green cards, S. 386 will not reduce the green card backlog. Don’t take it from me; listen to the nonpartisan Congressional Research Service. They say about Senator LEZ’s legislation: ‘S. 386 would not reduce future backlogs compared to current law.’

This is not a partisan group; it is the nonpartisan Congressional Research Service. S. 386 would not reduce future backlogs.

Despite my concerns about Senator LEZ’s bill, I told him I was willing to sit down and work in good faith to see if there was something we could agree on. Last December, we reached an agreement—a good one.

Republicans object to increasing the number of green cards, and, as a result, even our agreement—the amendment we agreed to—wouldn’t reduce the green card backlog. But it was a good bill that was important to me.

Let me highlight two key provisions of this agreement. We protect immigrants and their families stuck in the backlog. Immigrant workers and their immediate family members would be allowed to “early file” for their green cards. This was a proposal from Senator LEZ that I thought was good and I was willing to support. That doesn’t mean they would receive their green cards early but, they would be able to switch jobs and travel without losing their immigration status. That, to me, was only sensible.

Early filing adds a critical protection that was not in Senator LEZ’s original bill. It prevents the children of immigrant workers from aging out of green card eligibility so they will not face deportation while they are waiting for a green card.

Our agreement also would crack down on the abuse of HI-B temporary worker visas. The amendment we agreed to would prohibit a company from hiring additional HI-B workers if the company’s workforce were more than 50 employees and more than 50 percent of them were temporary workers.

These shell companies were created for outsourcing Americans jobs and abusing the HI-B visa process. I know because Senator GRASSLEY—Republican of Iowa—and I introduced this reform years and years ago when this abuse became obvious. It targets the top recipients of HI-B visas, which are outsourcing companies that use loopholes in the law to exploit immigrant workers and to offshore American workers’ jobs.

Two weeks ago, I came to the floor of the Senate to ask that we pass this agreement. Unfortunately, at that moment, Senator LEZ objected. Instead, he offered a revised version of our December agreement, including changes that are required by the Trump administration.

First, Senator LEZ wants to remove a provision known as the hold harmless clause. That assured immigrants who are already waiting for a green card—sometimes for years—would not lose their place in line because Congress changed the rules in the middle of the game.

Second, Senator LEZ wanted to delay for 2 years the effective date of this 50–50 rule to crack down on outsourcing companies. I don’t believe we should give these companies that are outsourcing American jobs and exploiting immigrant workers a free pass for 3 years.

Third, Senator LEZ wanted to delay for years early filing for people who are stuck in the green card backlog. Any children who would age out in the meantime would lose their chance for a green card and be subject to deportation.

Those changes suggested by the Senator from Utah were unacceptable, but because there are so many lives at stake for these families—and I know the intensity of emotion behind this issue—I was determined to keep working to see if we could find some common ground.

Last Tuesday, I sent Senator LEZ another compromise offer. The Senate Republican leader is planning to recess the Senate in a few days, so I thought it was important to come to the floor today to try to pass this proposal before the Senate convenes.

Let me be clear. This isn’t how we are supposed to make laws in the Senate. Last year, I sent a letter—joined by every Democrat on the Senate Judiciary Committee—to the senior Senator from Texas, JOSY CORNYN, chair of the Immigration Subcommittee. We asked for the regular order of business in the Senate, which so seldom occurs now. We asked Senator CORNYN, as chair of the Immigration Subcommittee, to hold a hearing on this complicated legislation that addresses the green card backlog. We wanted them to include in the hearing consideration of Senator LEZ’s bill and my legislation, the RELIEF Act. We requested a hearing with witnesses, a markup, a bill, a vote in the committee, and a vote on the floor. It is almost like something called the U.S. Senate used to be. This would help the Senate to understand, during the course of this hearing and debate, the impact of each of these proposals and to pass legislation that would actually fix the backlog. That really is how the Senate used to work. I know it is hard for newer Members to believe it.

The Immigration Subcommittee is certainly not too busy to take up this hearing. For this session of Congress, which began a year and a half ago, the Immigration Subcommittee of the Senate Judiciary Committee has held one hearing—one.

Unfortunately, Senator CORNYN rejected our request. This leaves me no other option but to bring this proposal directly to the Senate floor.

Let me explain what my amendment would do.

First, it would ensure that the children of immigrant workers do not age
out while waiting for a green card. This provision would not increase the number of green cards. It would not provide any special benefits. It would simply allow children of immigrant workers to keep their place in line for a green card and be protected from deportation until they reach 21.

Second, my amendment would delay the bill section that changes the distribution of green cards by 1 year. This provision, which Senator LEY actually proposed earlier this year, would not replace the hold-harmless provision; however, it would allow processing time for immigrants with pending applications to get their green cards.

Third, my amendment would allow for immediate implementation of the 50-50 H-1B visa rule. I was told that the purpose of delaying it 3 years was to protect those currently working for these companies. So instead of the 3-year delay, my amendment would exempt renewals for current H-1B employees who were not fortunate enough to be able to apply for early filing or for the chance to apply for early filing without creating a loophole for outsourcing firms.

What I offered Senator LEY after months and months of deliberation and negotiations was a good-faith effort to find common ground. There are so many lives at stake. So many families are following this debate because it literally will decide the fate of each of these individuals who are applying for the green cards and members of their families. It is heartbreaking to meet these families who have been waiting for years for a green card and to realize that the limitations of our system today make it so difficult. Many of these are good, hard-working people: in America who are doing the right thing.

In my hometown of Springfield, IL, there are physicians whom I have met and talked to personally who have driven hundreds of miles to plead their case with me. This one physician brought his young daughter; I think she was about 12 years old. I haven’t forgotten her to this day. She traveled 200 miles to beg me to try to help. That is why I came in with this amendment to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mr. COTTON). UNANIMOUS CONSENT REQUEST

Mr. LEE. Mr. President, we are living in some really unprecedented times. The economic impact of this global pandemic on our Nation, our people, and our communities has been nothing short of devastating. Within weeks of the start of this pandemic, we went from being one of the best economies in the world to some of the deepest levels of unemployment we have ever seen.

While the unemployment rate improves each month, countless Americans are still suffering from business closures, from layoffs, and from furloughs.

Ultimately, the best economic stimulus we can offer in this hour of need is to foster opportunities for Americans to find meaningful work and to achieve economic independence. We have to ensure that our immigration system does not punitively disadvantage our own citizens from working in their chosen field, does not create unnecessary obstacles to achieving economic independence, and that it does not unnaturally depress wages.

I echo President Trump’s bold call to put America’s interests first as we work toward economic recovery.

During this economic crisis, the Tennessee Valley Authority, a federally owned entity, made the decision to furlough its American workers and replace them with contractors who rely on work-based immigrant labor. Many of these same outsourcing companies are able to conduct operations for far less than they pay immigrant workers below market wages and require them to work, in some circumstances, under terrible conditions.

It was never the intention of any employment-based visa program to crowd out American workers in this way or to allow for the exploitation of legal immigrant workers. I fully support President Trump in making that clear in his actions earlier this week.

Let me be clear. This legislation, S. 386, Fairness for High-Skilled Immigrants Act, does not increase the green card or additional visa to the current numbers. No. It only lifts the per-country caps on applications for green cards for immigrants who are already here. So it doesn’t add to the number; it just lifts this artificial, arbitrary per-country cap.

In times of high unemployment, if we need to reform other work-based immigration programs to protect American workers, let’s do it. If we need to end the optional practical training program to ease the burden on American graduates entering the economy, let’s do it. If we need to reform the H-1B program and make significant reductions in the number of work-based immigrants who come into this country, let’s talk about that.

I support these reforms, and that is why I worked with Senators GRASSLEY and DURBIN, among so many others in this body, to add significant reforms to the H-1B program, to the Fairness for High-Skilled Immigrants Act. This includes a reduction in the number of work-based visa holders that any one company may lawfully sponsor. This reduction was included at Senator DURBIN’s request, is a good one, and it aims to protect not only American workers but immigrants as well by significantly curbing the system that allows for both the exploitation of visa holders and the depression of wages for all employees in a given sector. Its passage into law will increase the opportunity for Americans to compete for these positions.

The bill also includes provisions strengthening the Department of Labor’s ability to enforce and investigate claims that employers are providing less than fair wages and working conditions for immigrant workers, requiring employers to disclose more information regarding their H-1B hiring practices and ensuring that employers may not use other visas to circumvent the H-1B caps.

We must put Americans first. These provisions seek to do just that. Unless we are willing to review the work-based visa programs, we have an obligation to ensure they are administered and allocated in accordance with the principles that we espouse as Americans.

My goal in sponsoring this legislation many years ago—nearly a decade ago, in fact—was simply to bring some equity into this system. I have always been struck by the fact that the government has conditioned a pathway to citizenship, given that this is a series of immigrant visa programs at issue—based solely on the applicants’ country of origin.

There may have been some legitimate reasons many decades ago, in fact, for this. I almost can’t think of what those legitimate reasons might have been. Regardless, this has led to a system that largely discriminates against green card applicants from one country—and I mean literally one country. This is not consistent with our founding principles. This is not how we try to do things as Americans. And it is not right.
Today, if you are a work-based immigrant from India entering into the EB-2 green card application process, you will wait almost 200 years before your application is even considered solely because of where you were born—almost 200 years on a waiting list. Some people call this systemic racism. Our country isn’t much older than that. Yet that is the amount of time they would have to wait based solely on the basis of the country in which they were born. If you are born anywhere else—anywhere else other than China; say India, Ghana, Sweden, Indonesia—basically any other country other than India, your application will be considered immediately.

This sort of discrimination is simply inconsistent with the principles of an America-based immigration system and with our founding principles and the principles that unite us as Americans.

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to H.R. 1044; further, that the Lee amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be denied and laid upon the table.

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Utah for his response to my proposal. My staff reviewed his amendment yesterday. We quickly reviewed the language, and I would like to share my reactions.

Senator LEE does not include my language to protect children of immigrant workers from aging out during the delay in early filing because of objections on his side of the aisle. I am disappointed.

Senator LEE’s amendment would modify my proposal to allow immediate implementation of the 50–50 rule, so the rule would go into effect after 180 days.

Senator LEE would also provide that current H-1B employees may continue to change employers. My purpose is to prevent outsourcing from continuing to exploit the H-1B visa program by hiring new H-1B employees. Senator LEE’s language would not allow these companies to import new H-1B workers to exploit, so that is not objectionable to me. Senator LEE’s amendment also accepts my proposal to delay by 1 year the bill section changing the distribution of green cards by allowing processing time for pending applications.

To sum up, this amendment currently being considered, for which unanimous consent has been asked, includes several key provisions I have advocated repeatedly that were not in Senator LEE’s original bill, including early filing to protect immigrant workers and their families who are stuck in the backlog; an annual green card set-aside for immigrant workers who are ineligible for early filing because they are overseas; a 1-year delay in section 2 of the bill to protect immigrant workers with pending green card applications; and the 50–50 rule to protect American jobs and workers to prevent the exploitation of immigrant workers, which helped to create the green card backlog.

Therefore, I am prepared to accept this amendment in the spirit of bipartisan compromise. I will not object to Senator LEE’s amendment.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

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based immigrant visa than the speakers of Hindi, of Urdu, or of any of the languages spoken in India?

As I mentioned a moment ago, you have a real problem, a real inequity. Overwhelmingly, the per-country cap punishes the brightest immigrants from India in a way that doesn’t affect any others, except maybe some from China. By the way, he covers some of the language groups spoken in and around China, including Cantonese and Taiwanese. So why not Mandarin? Then, if Mandarin is why any of the languages spoken in India?

This cuts right to the heart of why it is we need this reform and why it is we have an Elvis Presley-era, outdated, outmoded, unwise, and fundamentally inequitable immigration code—one that is at odds with the way our immigration system works.

Imagine two otherwise identical applicants for a visa, wherein they are exactly the same in all respects except one—those being the degrees they have earned, their employment experience, their background checks, their family statuses, their earning potential, their job commitment, and professional certifications. Imagine they are identical in every respect except for one—that immigrant A happens to hail from Sweden and that immigrant B happens to have been born in India. Immigrant A will be eligible to have an employment-based immigrant visa application considered immediately. Immigrant B, simply by virtue of having come from India, will, in many circumstances, have to be on a waiting list for 200 years. This is wrong.

I really would like, one day, for someone—anyone—to explain to me why it makes any sense to leave this law on the books. One can’t. One will not because there is no good reason for doing so. If one can’t and if one will not, why on Earth would you want to do it? It doesn’t take a policy expert to see that the cap on the green card quotas. These 140,000 employment-based visas a year will have to accept. May I suggest that this is an illustration of the bottom line that I raised in my statement. In being stuck with a 140,000-limit on green cards for employment visas and country caps for that 140,000 limit, we will continue to run into the problem illustrated by the Senator from Florida.

There will be those who will want to create an exception to the overall quota or the country caps, and there will be compelling, personal, and familial reasons for them to ask for it. Time and again, they will find that, if they get a privilege, it will come at the expense of someone else, and there will be an objection.

The only rational answer is to raise the cap on the green card quotas. These 140,000 employment-based visas a year ago. They make no sense today in the world that we live in. We are talking about people in the United States who are working, who are trying to make lives here of more permanent nature. They have to go through the hassle of having their families here—to relocate and live. They are working here and contributing to the computer industry, in healthcare, and in so many different areas. They are valuable and important to America.

I sincerely hope that we can resolve the issue that was brought up on the floor today. Equally important, if not more important, I hope that we will have the will on a bipartisan basis to tackle comprehensive immigration reform. We did it 7 years ago. We passed it 7 years ago. It can be done with Senators of good faith and good will who will work together. Yet it will mean you will have to overcome the objection that there may be one additional, new immigrant coming to America. Some people cannot stomach that, and they object to any effort to change immigration laws that might result in an additional immigrant.

This son of an immigrant, who happens to be a U.S. Senator, believes that immigration defines this country, that our diversity defines this country, and that bringing people here who are willing to sacrifice and risk everything to be part of America’s future is part of the reason we have prospered as a nation.

I hope that Senators on both sides of the aisle who have put together this bipartisan bill, I believe we are close. I believe we are very close. I intend and plan and fully commit in the coming days to keep pushing this. This issue isn’t going away. We are going to get this thing passed.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I am disappointed. After all of these months of negotiation and of the emotion, intensity, and feelings that we share for the people who are caught in this backlog, it is a real disappointment that, at the last moment, the Senator from Florida exercised his right as a Senator to object to our unanimous consent request—a request which I was prepared to accept.

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The PRESIDING OFFICER. The Senator from Texas.
They are worried about the carpet-bombing of opportunistic litigation. After all, these are some of the very same people we have said must show up for work, must continue to provide essential goods and services to their communities during this crisis. Now, they are worried that the courts are going to throw them under the bus and make them subject to lawsuits for doing the best they could under very difficult circumstances.

Well, we can already see the commercials for the billboards soliciting these lawsuits. The trial bar is prepared to file lawsuits against doctors, nurses, teachers, small business owners—anyone and everyone who might be able to pay a judgment or, more likely, who has an insurance policy.

According to the law firm Hunton Andrews Kurth, nearly 4,000 claims have already been filed—more than 275 in Texas—but we are also talking about circumstances under which the statute of limitations is 2 years. So 2 years from the claimed incident, you could file a lawsuit. So this is just the tip of the iceberg.

As our economy begins to reopen, so will the floodgates, and we need to take action to prevent this tidal wave of litigation from wiping out the very workers, businesses, and institutions we have been fighting to keep afloat.

Leader McConnell and I have introduced the SAFE TO WORK Act to address this issue and to prevent this trial lawyer bonanza from bringing even more harm to our country and to our economy.

Unlike the unserious Heroes Act, this would give our healthcare workers exactly the kind of support they need, but I want to make clear what this legislation does and does not do.

First, it is not a blanket shield from liability. It will not prevent bad actors from trying to sue to cover up misconduct, nor will it prevent people from filing coronavirus lawsuits, and it will not give anyone a “get out of jail free” card.

In cases of gross negligence or willful misconduct, where applicable public health guidelines were ignored, the person bringing the claim has every right to sue and to be made whole, and we are not suggesting any change to that.

What we do need to do, though, is put some safeguards in place to help those who are operating in good faith under uncertain circumstances, under sometimes changing guidance and direction, even though they were trying to follow all of the relevant guidelines.

That includes protections for nonprofits that have gone above and beyond to support their communities, as the demand for their services has skyrocketed. It includes the schools, the colleges, the universities that are preparing to take every conceivable precaution—students and teachers safe this fall. It includes the hospitals that have been on the frontlines and have fought significant headwinds to keep their staff, their patients, and their communities safe. And, of course, it includes protections for our incredible healthcare workers who have been on the frontlines of this crisis for months.

Amid rapidly changing guidelines, staffing shortages, and scarce supplies of personal protective equipment, they continued to adapt and deliver the best possible care to their patients.

Just to give you one example of how rapidly the guidelines could changing, in March, the Texas Health and Human Services Commission provided a manual to nursing homes with guidance on managing and preventing a COVID-19 outbreak. The manual was 28 pages long. Since then, it has nearly tripled in length.

As we have learned more about this virus, guidelines have evolved, as you would hope they would, to ensure that our healthcare workers know the most effective ways to quarantine, test, and treat, and that we pulled in an unequivocally good thing. It is strengthening our response, it is helping us slow the spread of the virus, and it is saving lives.

But it has also created a host of challenges for the healthcare workers who are the very ones complying with these rapidly changing guidelines, doing the best they can under difficult circumstances.

I learned about an elderly patient who arrived at a hospital emergency room during the early stages of the pandemic with a fever but no other COVID–19 symptoms. At that point, testing supplies were constrained, and the applicable CDC protocol was to limit testing only to patients who met the strict criteria, who had symptoms. And with only a fever, this patient did not meet those criteria so he was not tested.

The healthcare workers identified an infection that could have been causing his fever, so they treated him and discharged him with instructions to return if his condition worsened.

Several days later, unfortunately, his condition did worsen, and he went to a different hospital where he was given a COVID–19 test. The result came back positive, and ultimately he was admitted to the intensive care unit.

Then, several days later, he tragically passed away from coronavirus-related symptoms.

For the man’s family, I know this raises questions of how things might have been different today if he had been tested on that initial visit in the emergency room. They have said they may file a lawsuit against the physician and the hospital for not performing a test and admitting the man to the hospital on the first visit.

But the doctors there were simply following the best advice they had at the time and were constrained by the number of tests available—only to test patients when they had symptoms of the virus and, unfortunately, this man’s symptoms did not qualify.

If the doctor and the hospital did the best they could following those guidelines, they should not be subjected to these types of litigation.

Now, as I have said, the legislation would not provide blanket immunity. Nobody is arguing for that, but we do need clear guidance to ensure that the dedicated healthcare workers and other essential workers who were acting in good faith will not be drained dry by the trial bar.

This legislation sets a willful misconduct or gross negligence standard to ensure that only bona fide, legitimate claims are brought against these healthcare workers.

The patients subjected to that type of treatment have every right to sue and to be made whole, and this will preserve that right. But it will also make sure that the hard-working doctors, nurses, emergency medical technicians, and other medical professionals who have acted in good faith and are not pulled into litigation that could send them into bankruptcy.

Over the past several months, our healthcare workers have navigated the dark, treacherous, and rapidly changing waters of this storm to save as many lives as possible.

I should point out that I think about 30 States have, at the State level, provided the kind of protection to healthcare workers I am talking about. So we need to throw them a lifeline, not feed them to the sharks. Instead of naming a bill in honor of our healthcare heroes that does absolutely nothing to help them, as the House has done, let’s pass a bill that will honor them.

If our friends across the aisle want to help our healthcare workers and thank them for their immeasurable sacrifices they have made, liability protection would do exactly that.

So I hope our colleagues are prepared to acknowledge the widely known truth—that the Heroes Act is an unserious piece of legislation that has zero chance of becoming law. It is time to stop playing games and get serious about what our country needs at this critical moment.

As negotiations on the next relief package continue, I would ask our colleagues to set aside the completely unrelated priorities in the Heroes Act and focus on the changes that need to be made to keep our healthcare and other essential workers safe but also to protect them from frivolous litigation.

The PRESIDING OFFICER. The Senator from Minnesota.

BROADBAND

Ms. Klobuchar. Mr. President, I rise today to talk about a focus subject, which is access to broadband.

I will say that I know the negotiations between the House and the Senate and the White House are continuing. I think it is very important for the American people that we do this in good faith.
I disagree with my colleague from Texas on a few of the descriptions of the bill that came over from the House, which I think the fact that the bill that was first introduced here in the Senate had only 20 percent of the funding for testing that the House bill had is very clear when you look at people waiting to get test results, the fact that there was no money to keep our elections safe. You can just go through line by line on the issues and the differences in the bill.

Buy high-speed internet today is not actually emphasizing those differences; it is how we can come together, what are the things we can agree on, and the fact that we cannot just pass a bandaid for the American people when we have learned that the GDP annualized is going to be down 30 percent, when we learned that so many people are losing their homes or being evicted, and so many are filing for unemployment. This is the time for action.

Broadband access has been an issue, especially in rural America, for a long time, and having once traveled to Iceland and having seen how the Icelanders have high-speed internet at every corner of their country, despite the fact that there is a country of lava and volcanoes and volcanic ash, we can certainly do better.

The problems I was hearing about for years that we tried to get at slowly but surely with access to internet have become even more prominent when parents look at simply trying to make sure their children are able to participate remotely in school. While other kids of other parents who happen to have high-speed internet are able to fully participate, others aren't. Sometimes it is because of equipment, but oftentimes, in my State, it is because of a lack of access to high-speed internet.

Stories of one girl in Southern Minnesota who had to take her biology test by laying on her lawn, and that is because they were in a tribal area, he had to go to the McDonald's parking lot, drive in from his home, because he did not have access there. I thank Senator Van Hollen for bringing us together this afternoon and for his work in organizing this time to focus attention on the pressing education priorities in the relief bill.

Access to broadband, as I just noted, has become more critical now than ever, as schools and workplaces are closed in an effort to limit the spread of the coronavirus, where teachers, many with preexisting conditions, simply cannot put themselves at risk, and where we know, going forward, we will continue to have a substantial number of kids learning remotely. As concerning when before the pandemic, one study found that about 42 million Americans nationwide lacked access to broadband. Reports have also found that only 66 percent of Black households, 61 percent of Latino households, and 63 percent of rural households have broadband at home of the quality that would allow them to work and to conduct their business and to participate in school and host a meeting in healthcare.

In rural areas in my State, about 16 percent of households lack broadband even at baseline speeds. That means we have 144,000 households that don’t have access to high-speed internet. The saddest stories I remember was a house—hold in one of our Tribal areas that got paid for their own high-speed internet and the parents looked out the window and saw all these kids in their law and, that is because they were trying to get access to the internet from that one household to be able to do their homework. That was a story from Leech Lake Reservation.

Many students have shifted to online and will continue distance learning, and particularly K–12 kids who can learn. That is why I wrote a letter to Senators Peters and Tester, urging the FCC to ensure that all K–12 students have internet access to continue learning from home during this pandemic. Following the announcement of the remote learning, I worked with Senator Smith to urge the FCC to ensure that Minnesota school districts to connect students to high-speed internet.

I am grateful for Senator Markey’s leadership in ensuring students have the connectivity they need. I was proud to join him and 43 of our Democratic colleagues in the Senate to introduce the Emergency Educational Connectivity Act, to establish a fund at the FCC to help schools and libraries provide Wi-Fi hotspots or other connected devices to students without home internet access. This bill, in fact, as I think of the comments of my colleague from Texas, he talked about how many years in my State that only 66 percent of Black households, 61 percent of Latino households, and 63 percent of rural households have high-speed internet.

It is not just K–12 students who need help connecting to the internet during this crisis. Colleges and universities across the country have also moved classes online, and many low-income students who rely on campus resources are struggling to continue their education from home and are at serious risk of falling behind.

I know for quite a while the White House was hoping this crisis would magically go away, with false claims of improved situations and false claims of chugging bleach and the like to make it go away, but, in fact, I would say the President was accurate a week or two ago in one way when he publicly said that this is going to get worse before it gets better.

So the thought that we would allow these disparities to continue, where households cannot get high-speed internet, they are at a complete disadvantage, not just for a month—that might be OK—not just for 3 months but for a year and beyond when it comes to education. Little kids, first graders and second graders, when they are supposed to be learning to read, they can’t be apart from teaching for that long a period of time without it having a major impact on their education. That also includes higher education. Not every kid in a college or community college can afford high-speed internet.

That is why I introduced the Support Pupils, Access Connectivity for Higher Education Students in Need Act in May, with Senators Hirono, Peters, and Rosen, that creates a fund at the National Telecommunications and Information Administration to help ensure that college students with the greatest financial need can access critical internet services and equipment like laptops and tablets.

Our bill prioritizes historically Black Colleges and Universities, Tribal colleges and universities, Hispanic-serving institutions, and minority-serving institutions, as well as rural-serving institutions. As we continue to confront this pandemic, ensuring that students get internet from kindergarten and preschool on through college and the like is really important.

I have spoken with small broadband providers and superintendents across my State who have been working with school districts to connect students to high-speed internet, going to help, including providing free internet services and installing public Wi-Fi hotspots in their communities. They helped our kids, but we know we need better long-term solutions. That is why Senator Cramer and I introduced the Keeping Critical Connections Act to create a fund at the FCC to help small broadband providers continue to provide critical internet services. It has been my experience over many years in my State that many of these smaller providers on the ground are much quicker and do a better job of keeping their promises and building out as opposed to some of the big telephone companies—or maybe they don’t see this as economical to reach these rural areas. I don’t think it is a surprise. So many of my colleagues have had the same experiences listening to people in the rural areas of their States that our bill will now have 34 cosponsors, half Democrats, half Republicans. It would in line to work with small providers to give them the funding they need to expand immediately out to these areas.

I don’t want to hear another story like the high school student taking her biology exam in the liquor store parking lot simply because she doesn’t have internet.

We also need to make sure people know about existing resources that can help them connect to the internet. Due to job losses or reductions in income during the pandemic, millions of Americans are newly eligible for nutrition benefits and Medicaid and can also get...
help connecting to the internet through FCC’s Lifeline Program to help low-income people connect. Some of these people have never been low-income and because of the pandemic they now are. According to FCC Commission Member, Randal J. Stutz, about 7 million of the 38 million households that were eligible for the Lifeline Program were enrolled. That is why in April I wrote a letter to Senator DURBIN and Representative MARCIA FUDGE of Ohio and ANNA ESHOO of Virginia, along with 140 Members of Congress, urging the FCC to work with the USDA and HHS to ensure that the millions of Americans who are now eligible for SNAP are informed about their eligibility for the FCC’s Lifeline Program. As we work to bring high-speed internet to communities across the country, it is simply critical that we have a clear understanding of where broadband is available.

My bipartisan bill with Chairman WICKER and Senators PETERS and THUNE to improve the accuracy of the FCC’s broadband maps was, in fact, signed into law in March. It was not soon enough for this pandemic, but we simply just hear: Hey, we have high-speed internet in our area, which I know Senators WICKER and THUNE heard, just like I did, and in fact you go there and that isn’t true at all. That is why having these updated maps, as we look at not just what we are dealing with today but the day after tomorrow—which is a metaphor for next year when the vaccine starts coming out, when things start going back to a place where people are out and about freely—all, we have to make sure that if we haven’t expanded to everyone with broadband at that moment, that we do it then, and to do that we need accurate mapping.

The last bill I wanted to mention is a bill that has passed the House, and that is KYRSTEN SINNOTT’s $100 billion to build high-speed broadband infrastructure in underserved areas, including rural areas, to expand affordable high-speed internet to everyone. I am the lead on the Senate version of that bill, and given that it has passed, it is a part of another piece of legislation, and it is something else we must be looking at as we move forward the next few months.

We all depend on reliable broadband, and where that is not available broadband to all. I always believed that when we invest in broadband, we invest in opportunities for every American.

If we could bring electricity to every one’s home even the smallest farms in the middle of areas with very little population, we can do this in the modern era. Otherwise, we are going to continue with the haves and have-nots. It shouldn’t depend on your ZIP Code whether your kid can learn to read. It shouldn’t depend on whether your ZIP Code is to figure out what their homework is the next day. It shouldn’t depend on where your ZIP Code is to find out whether you are going to be able to virtually visit your mom and dad in the senior center because some places will have high-speed access that will allow us to do that and others won’t. It shouldn’t depend on your ZIP Code to figure out if you could actually go to your doctor, your dentist, your eye doctor instead of going into a medical setting that maybe you don’t feel comfortable going into.

All Americans should have access to high-speed internet. This pandemic has put a huge magnifying glass on what has been a problem for many, many years, and it is time to act now.

I yield the floor, and I again thank Senator VAN HOLLEN for bringing us together and thank Senator HASSAN from the State of New Hampshire for her leadership in bringing us together.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I want to thank Senator KLOBUCHAR for her leadership and her capability to understand not only the policy that we need to address and change but also the practical impacts it will have on not only her constituents but people all over the United States of America.

I want to thank Senator Van Hollen as well for gathering us all this afternoon to focus, as we need to, on the needs of our young people, our students, their educators and their families in these coming months.

Ms. BLACKBURN assumed the Chair.

Ms. HASSAN. Madam President, in New Hampshire and all across the country, school supplies are lining the shelves of stores, but school board members, teachers, and parents are still wrestling with the decisions about what exactly this school year will look like.

No matter if schools open fully remotely, fully in person or a hybrid of both, we have--have--to ensure that young people receive a quality education while also keeping students, school faculty, and their families safe.

Just as schools are trying to make decisions, just as administrators, educators, and families are trying to figure out what this school year will look like in their communities, they have been met by a lack of resources and clear guidance from this administration and my colleagues on the other side of the aisle.

We have known for months that schools would face enormous challenges this fall, and Federal delays have only made the situation more challenging across the country.

For months the Senate majority leader stalled action on an additional COVID–19 relief package, saying that he felt “no urgency.” But school districts across this country have felt plenty of urgency. Instead of giving schools the time and appropriate resources to plan, Senator McCONNELL kicked the can down the road. Now he has released a completely inadequate and unacceptable proposal that provides too few resources to schools and would actually withhold aid if schools don’t fully reopen in person.

My Democratic colleagues and I have focused on an approach that would actually help schools plan for the year ahead. We proposed $330 billion to help schools implement public health protocols, address the challenges of students who have fallen behind, and provide more education to all students regardless of how schools reopen. This proposal would help address some of the most pressing issues facing our students.

When I talk to educators back home in New Hampshire, a common theme I hear from students and educators is that they need more and better high-speed internet access to support online learning. This is a challenge both for remote and also in-person learning. For instance, last week, Kevin Carpenter, principal of Kennett High School in North Conway, told me that part of his school’s reopening plan requires expanding broadband capacity at the school. This would allow students to access online materials in every classroom and minimize the risk of spreading COVID–19 by minimizing physical transitions from class to class.

Other educators have noted that in many areas of our State, families are still having trouble accessing an adequate broadband connection and devices that can support online learning throughout the day at home. Just as Senator KLOBUCHAR referenced some of the conversations she has had in Minnesota, in a discussion I had in New Hampshire earlier this summer, a teacher in the Gilmanton School District said that some parents were taking their children to the parking lots of their school to do their schoolwork from the car because it was the only way they could access a Wi-Fi connection.

Too many students are at risk of falling behind because they lack broadband access. Our proposal includes $4 billion in funding to help ensure that all K–12 students have adequate home internet connectivity and devices during the pandemic, which is a priority that I have been fighting for throughout the last several months.

I urge my Republican colleagues to support this proposal and to work with Democrats to deliver sufficient relief without any further delays.

As we approach the upcoming school year, our families and educators are facing unprecedented, heart-wrenching uncertainty. Even in areas where the infection rates are low and schools are well-resourced, the threat of a second wave of the virus poses significant challenges. The virus has affected so many different pieces of our lives, and we are just beginning to understand the long-term impacts. We must support our educators and ensure they have the resources they need to support students through the next school year.
Congress must address these needs so that our educators can overcome these immense challenges and do what they do best—help our children learn and grow.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I thank my colleague from New Hampshire, Senator HASSAN, for the important points she made about what is happening in New Hampshire. In listening to her, I think each of us could say that that holds true for our State. Certainly, what she says holds true in my State of Maryland.

In Maryland, we are just weeks away from the opening day of school. In other parts of the country, schools have already reopened.

I think all of us can remember back to when we were going back to school during World War II. We had children of excitement and anxiety. And those of us who are parents with children shared the excitement and anxiety of our children as they went off to school.

This year, we are facing a sense of emotions that none of us has ever experienced before. I think all of us agree that we would like all students to be able to return to actual classrooms as soon as safely possible. I hope we would all also agree that we want to make sure that, in returning, we don't have those who risk our students, teachers, or others in the school community.

We all agree that in-classroom instruction provides the best learning environment for students, but we should also agree that students should not be returning to classrooms if it will put them at greater risk to their lives or their health or the health or lives of their teachers or others in the school community.

We know that in order to reopen schools safely, we have to do two things: We have to reduce the spread of COVID–19 in those communities where it still exists and is still spreading, and we need much more rapid testing capacity so that we can quickly detect and isolate somebody who has COVID–19. We need to be able to quickly detect an outbreak of COVID in a school, whether that be a student or a teacher, so we can make sure that others do not get infected.

In so many places, such as the majority of major school systems in my State of Maryland, the reason they have not been able to plan to reopen the classrooms on opening day is that the spread continues in so many areas, and we don't have rapid, comprehensive testing. That is the result of a failed and botched policy at the highest levels—the fact that this administration, this President, has not put in place a comprehensive national strategy to slow and then stop the spread.

Even today, you have to wait days and days and days to get the results of a test. That dramatically reduces the usefulness of that test when it comes to identifying an outbreak, doing all of the following up to figure out who else has been in contact with that person, and preventing the spread.

That is why so many schools, including high schools, and that was a test. That dramatically reduces the capacity so that we can quickly detect and isolate somebody who has COVID–19. We need to be able to quickly detect and isolate somebody who has COVID–19.

In order to ensure that our kids, our students, get an education beginning on the first day of school, we need to dramatically scale up our ability to provide distance learning to those students. It is simple common sense that distance learning for our students requires two things to happen: No. 1, teachers need to have the necessary equipment and training to connect via the internet to their students; No. 2, students need to be able to connect to the internet so they can receive the lessons from their teachers. That is simple logic, and that is common sense.

In our country, right now, we have a major problem, a major gap, a major inequity, and that is that millions of students, as we prepare to begin the first day of school, don't have access to the internet. That means they will be cut off from that form of distance learning, and that is unacceptable, given the fact that that is the approach we have to take at least for some period of time in many schools around the country.

I think we should agree—and I hope we agree—that every child in our country, regardless of his or her ZIP Code or their family's income, should receive a high-quality, top-notch education that allows each of those students to achieve their full potential. They cannot connect to the internet if they can't even connect to their teachers. That, obviously, can't happen.

In many ways, what we have seen from the coronavirus is, unfortunately, not anything new. It is the magnification of deep, systemic inequities that existed in our country before the outbreak of the pandemic and have been amplified since then—inequities in our healthcare system, inequities in various social systems, and, certainly, inequities in our education system.

Those inequities have put students—many students—at an increased disadvantage, primarily students from lower income families and neighborhoods, and, especially, students of color.

Before the pandemic, we used to refer to this distance learning gap for students as the "homework gap." What do we mean by the homework gap? Well, when I was at school and we were given a homework assignment, we pretty much needed our textbooks, and we needed our pens and paper. But now the overwhelming majority of homework assignments given by teachers require access to the internet to do your assignment and to do your research.

Before the pandemic, we had millions of American students who couldn't access the internet for the purposes of doing their homework. And that was a serious problem. We called that the homework gap. But now what we call the homework gap has become a full-blown learning gap. It is not just a question of not being able to access the internet to do our homework assignments; these millions of students can't access the internet at all for their learning.

This is not an isolated, small problem, and it is not just relegated to certain parts of the country. It is everywhere.

In urban communities, 21 percent of students do not have access to adequate internet. In suburban areas, it is 25 percent. In rural areas, it is 37 percent.

There are three reasons for this lack of access. One is lack of access to a device, a computer device. Obviously, you need to have a device to get on the internet.

In a letter I received when schools had to shut down earlier this spring as a result of the pandemic, I received a letter from an 11-year-old Marylander who shared that his family has one computer, which he needs to share with his sister, who is in fourth grade, while his mom, who is a single parent, has to work full time using that same computer. He said that his family hadn't gotten any other help with additional electronics and that his mom, who "is the most supportive and strongest mom . . . can only do so much." That is just one example of a student who doesn't have access to a device.

What is another reason you can't connect? Well, if you don't have an internet connection either because you don't have a hotspot for your cell signal or you are not otherwise connected through a wire, then you obviously can't get the signal. So we need to make sure that we have more hotspot devices available for more students and do our best to build out the infrastructure to reach those who cannot be reached by hotspots. That is a second reason: You just can't connect to the internet and get the signal.

A third reason is that in some places, internet access is available, but it is unaffordable. It just costs too much. We should not have any situation where a student, during this pandemic, can't get on the internet because his or her family cannot afford to pay for it. Just to give you an idea of the magnitude of this problem, in the spring, 50 million K–12 students were trying to access the internet from home for their lessons. But 15 to 16 million of those students either did not have access to high-speed broadband or they did not have a device. Nine million of them lacked both access to high-speed internet and did not have a device. This is...
not a small problem, and it is not an isolated problem. It is a problem we need to address now, since schools are opening in a few weeks in Maryland and schools have already opened in parts of the country.

Here is a story I received from an elementary schoolteacher—someone who has been in the classroom for over 20 years—during the spring when they were trying to get their students connected:

Like thousands of my colleagues, I rose to the occasion to provide distance learning and engaging with all of my students who had access to devices. What was disheartening was the students whose faces I did not see—a high number of which were my African American students.

This does hit communities of color disproportionately, but it does hit students in every geographic area in every part of each one of our States.

To give you an example of the disparity based on race and ethnicity, you have 18 percent of White students who lack access to the Internet, 26 percent of Latinx students, 30 percent of Black students, and 35 percent of Native American students.

I have one more story: Well, we are going to do distance learning, so that is not so expensive. Why do we need to provide schools with additional help during this period of time?

The reality is, transitioning to a viable distance learning system that helps every one of our students costs money. In fact, it is an average of $500 per student.

In Maryland, schools are already struggling to try to connect their students, trying to purchase these devices, trying to make sure that they sign up families who qualify for the Lifeline service, but we are falling short, and they need help.

That is the students. We also have learned that 300,000 teachers are currently unable to connect to the Internet because they lack connections.

School superintendents have reported to us stories of teachers who are going to the school parking lots to access the school hotspots to do their teaching and provide their lessons. So we have to act urgently to address this issue. This should not be a political matter.

There should not be a debate about the need to make sure every student can get classroom instruction via distance learning during this pandemic.

That is just for starters. We also have schools who have to make sure that they provide education to the special ed students. We need to make sure that students who receive nutrition and lunches continue to be able to receive those, and we need to make sure that community schools, which in many of our States provide essential wraparound services, have the resources that they need.

So let me just end by listing the key steps we will want to include in this next emergency package that we have been working hard to do. One are the resources to close this distance learning gap, including the Emergency Education Connections Act which I, along with Senator MARKEY and many others, have introduced. We need $4 billion to make those connections.

I see Senator CORTÉZ MASTO on the floor, and I want to thank her for her leadership on this bill as Senator BLUMENTHAL and Senator REED.

Two, we need to provide $12 billion for additional help for the IDEA program for special ed. Three, we need to make sure that their flexibility for school lunch programs and increase the SNAP benefit by 15 percent. Four, we need to provide the $175 billion to help all of our K–12 schools, including our community schools.

I will end with this. Childcare facilities are really feeling stretched and going under. If we want to have a safe and calibrated reopening, we need to make sure that those childcare centers remain open to parents so that they are able to go back to work—as they are allowed to do—and make sure that their kids are well cared for.

We have got a lot of work to do. We have been trying to have these discussions for over 2½ months, since the House passed the Heroes Act. This is long overdue. I hope these negotiations will conclude quickly because many of the protections that are in place right now are expiring.

As we do that, let’s make sure that our kids, who are going back to school in a matter of weeks in my State of Maryland—that all of them can connect to the Internet so all of them can learn.

It is simply unacceptable that millions of American kids are going to be going back to school, just like we all remember doing at one point in time, but they are not able to go in the classroom, and their only way to learn is by connecting to their teachers via the Internet. We need to solve that problem and do it.

With that, Madam President, I yield the floor to the next Senator who is going to speak on this issue.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am proud to follow my very distinguished colleague from Maryland after those very powerful and eloquent remarks, and I subscribe to literally every point that he has made in response to the challenge. We are joined by Senators from all over the country, Senator REED, and Senator CORTÉZ MASTO. This issue is truly national in scope.

It occurred to me as I was listening to Senator VAN HOLLEN: We would not ask students to go through an education where they had no books, where they had no desks, where they had no writing instruments, where they had no teachers. The Internet is as fundamental to education today as the basic building blocks and teachers and books. They are our future. Our students are our future, and the Internet is part of their present and future.

I want to bring this issue home to Connecticut. I convened a roundtable— as I have done in many parts of the State—in Hartford a week or so ago with the superintendent of schools, the mayor of Hartford, and parents and community groups to talk about the digital divide—or the homework gap, as it is now known so widely and colloquially.

The stories they told me about attempting to connect during this time were偏偏 the students. Their students who were being remotely were absolutely heartbreaking. Students who wanted to learn and sought to participate did not have that basic opportunity because either they weren’t connected or they couldn’t afford it. They didn’t have the computer or, in some instances, their parents couldn’t connect, lacked the expertise. Many of us have been there.

It is about connectivity, written books, that is it is about affordability of that service; it is about the mechanical instruments, the computers, necessary to do it; it is about parents having the expertise; and it is also about the learning habits of students to front of a surfing knowledge in that way—not playing video games but absorbing knowledge through distance learning.

In the absence of a robust and adequate governmental response, private groups and philanthropists are filling some of the gaps. I want to cite one in particular because it arose during that meeting. The Dalio Foundation—specifically, Barbara and Ray Dalio—along with the Hartford Foundation for Public Giving, have provided computers to schools in the Hartford area.

In fact, Barbara and Ray Dalio have provided thousands of computers to schools all around Connecticut, filling in some of the gaps. I want to cite one in particular because it arose during that meeting. The Dalio Foundation—specifically, Barbara and Ray Dalio—

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with this unprecedented question: When is it safe to reopen? That answer will depend on local circumstance, the opinions of scientists, public health experts’ views. Listen to the epidemiologists and the scientists, not to the politicians. Undoubtedly, there will be, in some areas and sometime, a hybrid of virtual and physically present learning.

We have to recognize that the internet is going to be essential in many, many communities in Connecticut and around the country. Students will choose virtual learning in order to keep their students, their teachers, and their parents safe, but the digital divide will plague it, and it will plague almost every community.

We have this notion that somehow it is limited to rural areas or it is limited to some States. It is, in fact, endemic to almost every community in our Nation that some students are isolated and divided and that some of our young people have problems with connectivity. As my colleague Senator Van Hollen said, one-quarter of all students nationally are at risk of losing months of education because their homes still lack adequate home internet.

We have to fund broadband for granted. We rely on it every day in this building and in many others around the country, in office buildings and in many schools; but for some parents and children, it is absent, and that is why the measures that we have suggested are so vital.

As with far too many of our divisions, the weight of these inequities falls disproportionately and dangerously on communities of color. In fact, at least 30 percent of African-American students lack access to broadband, as well as 35 percent of Native Americans. We are leaving behind those students who most need the help, and in this time of national reckoning over race, the weight of these harms to education and opportunity are even more dramatic, more profound, and more lasting.

We have to take the kind of significant steps now that we took after Hurricane Katrina. The FCC took sweeping action to make sure that individuals whose lives were upended by disaster were connected. Within 1 month, the FCC dedicated more than $200 million to fund connectivity efforts and aggressively expanded Lifeline and E-Rate programs not even close to matching that commitment.

Remember, the bold plan in that instance was from George W. Bush and from the FCC majority he appointed. This time, again, we must take bold, bipartisan action. We can help bridge this divide and close the gap.

I have joined my colleagues in pushing for emergency funds for broadband access, for the Lifeline program, for E-Rate, yet when I asked the chairman of the FCC at a most recent Commerce Committee hearing, he was unwilling to commit to the billion-dollar program that I have suggested in various proposals, along with colleagues, is a minimum that we should set forward. These proposals should be a first step toward congressional action, a kind of rubric.

I was proud to introduce the Emergency Broadband Connections Act with Senator Wyden to provide families with assistance so they can afford broadband connections and to reinforce the Lifeline program. I am also proud to work with Senator Markey and others on the Emergency Education Connections Act that the FCC's E-Rate program can help all K-12 students obtain broadband and devices.

As a country, there have been so many sacrifices made by so many and so much heartbreak and hardship. This absence of broadband should not be one of those sacrifices that we impose on our children. We have the opportunity and the obligation to act now. I urge my Republican colleagues to take this stark reality to address the Homework Act within the overdue COVID-19 package. We need to take this obligation seriously. We need to seize this moment. It is a moment of reckoning, and we cannot fail to meet the challenge.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. Cortez Masto, Madam President, in a couple of weeks, students in Nevada and across the country are going to begin their studies again. I want what every parent in America wants—a safe school year that allows schoolchildren to thrive in mind and body. To make that happen, students and parents need the flexibility to make decisions that are best for their families. They need school systems that can afford the technology, the equipment, and the resources to keep students and staff safe. They need access to the internet and the devices that will support education as well as allow parents to work from home and supervise their kids.

I have been working to bridge the digital divide for Nevadans as part of my Innovation State Initiative, which helps Nevada develop groundbreaking solutions to 21st-century problems. That is why last month I held a statewide conversation about broadband. I heard local officials in rural communities talk about the challenges they faced getting high-quality internet access to their communities.

A 9-year-old student told me how she struggled to do schoolwork because she only had her mother’s cell phone for internet access. I also heard stories about how libraries in my State are stepping into the digital breach through the FCC's E-Rate Program, which subsidizes internet access for schools and libraries.

Most of all, we talked about how widespread the issue is in my State. The FCC’s own figures show that half of rural Nevadans and 6 percent of people statewide can’t even get high-speed wired internet. That is not counting people who can’t afford services or devices or those who can’t get reliable wireless services. We are talking hundreds of thousands of people in the Silver State without the ability to stay connected to one another during a time of social distancing.

Students in Nevada need internet access not just to attend class remotely but to submit homework online. Between 12 million and 16 million students across the country can’t complete their homework because they lack access. It is not just families with school-age kids who need better broadband access; businesses need it, too, to reach new customers and offer new services, particularly during a time when we are dealing with a healthcare crisis and asking people to shelter in place.

That is why we must build on the $2 billion the CARES Act included for various broadband technology investments and allocate funds in this next coronavirus package to make access to broadband more affordable in every ZIP Code.

With my colleagues, I introduced the Accessible, Affordable Internet for All Act to invest over $100 billion in things like E-rate support, including Wi-Fi on schoolbuses, and digital literacy training. That investment can fund vouchers to offset broadband costs for those who might not otherwise be able to afford it. It can go toward establishing a one-stop clearinghouse of Federal broadband program information for communities and organizations that need it and offer the ability to track funds, through my bipartisan ACCESS BROADBAND Act. Fundamentally, it can help a confused high school sophomore watch a video explaining her geometry homework, while her parents video-conference with colleagues in the next room and her little sister talks with her grandparents.

It is our job at the Federal level to ensure that Americans across this country have the tools and equipment they need as local districts so that those districts can decide what is best for their communities as we move forward. To do that, we need to set aside those proposals that force schools to make decisions they are uncomfortable with. We need to listen to local teachers on the ground who know what is best for their school districts, not legislators in Washington trying to mandate what schools must do. Local districts are in touch with their leaders and are monitoring the actual spread of the virus in our local communities.

Yet, unfortunately, some of my colleagues want to withhold two-thirds of federal funding unless students are physically present at school. It makes no sense to make schools all over the country move in lockstep. We need to listen to local school boards, to parents, to teachers, and to our public health experts about the safest way to teach in our local communities.

Back home in Nevada, I am listening to my school districts, to parents and
We know what happens when things reopen when community transmission remains high, when proper public health safety measures are not in place, when we do not have the rapid-result testing and contact tracing necessary to contain this virus. People get sick. Hospitals are filled with patients who require oversight. People get sicker. Hospitalizations and deaths increase. What is the President’s response? He said: “It is what it is.”

What has Senate Republican leadership prioritized? Shielding businesses from liability for negligence. In other words, if reopening too quickly results in more sickness, “it is what it is.” This approach is appalling and unacceptable and must be rejected.

School is a lifeline for children in the communities hit hardest by the pandemic and the ensuing economic fallout. The Federal Government must step in with a comprehensive plan and the resources to make sure that school is there for these children, the teachers, the custodians, the parents, the family.

We know this school year will be like no other. School districts will need to redesign the school day and be prepared to shift to distance learning, as necessary. There will be new protocols for sanitization, transportation, and staffing.

Teachers need training on how to stay safe in the classroom. You will recall that many in this body wanted to add firearms training to the list of teacher duties. It is disheartening to note that many of the same Members who wanted to equip teachers with guns and firearms training are now unwilling to provide them with basic cleaning supplies and personal protective equipment. They are denying them the resources and training they need to keep themselves and their students safe from a very clear and present danger: COVID-19.

Schools will have to reengineer the use of space in and around the school building and reconfigure classrooms to ensure that social distancing can be maintained. With the recent Government Accountability Office report showing that over half of school districts nationwide need to update or replace multiple systems in their schools, such as heating, ventilation, air-conditioning—HVAC—and plumbing, dedicated funding for infrastructure that requires significant money for school infrastructure. We needed it before COVID. We need more of it today.

More critically, schools will need to increase their capacity to support children’s well-being—including nutrition, health screening, and mental health support—whether in person or at a distance.

The first step in any reasonable plan to reopen schools starts with robust, rapid-result testing and contact tracing to contain the spread of the virus. There is no path for safe in-person schooling without it. That is step one, and the President has not taken that step yet.

A comprehensive plan for schools would also stabilize State and local budgets, ensure equity and access to technology and broadband, enhance nutrition and medical services, support our broader educational ecosystem, including afterschool programs, museums, and libraries. For example, without a robust investment in public libraries, we will continue to struggle to close the digital divide and the homework gap.

Many, many, many, many school systems today are beginning their classes on a remote basis. The children need an electronic device—some type of laptop, something—and they also need access to Wi-Fi. Many families don’t have that. And unless we step in with the resources to support the localities and States in providing those capacities, those children will be denied an education.

One way, as I suggested, to do that is through our public libraries. As I have gone through Rhode Island, it was encouraging to see in the afternoon, throughout the State—in small libraries, everywhere—young people doing schoolwork, using Wi-Fi at home; they have it in the library. This is just part of what we have to do, and libraries can be at the heart of that.

We have to put the resources, the commitment, the plan, the leadership, the force, and the momentum behind this effort, and we have seen none of that in the administration. The most fundamental aspect of all of this is that it does come down to the resources—the substantial, dedicated resources that have to go to our public schools to meet these additional costs, to meet these additional demands, to serve this generation of young Americans who, if they are denied these services, will be denied an education. And that is not just a momentary loss; that is a cumulative, lifetime effect that will not only deny them a chance at opportunity, it will deny this Nation their talent.

These are the issues that we are struggling with at this moment. These are the issues we must confront. We—the Democratic caucus—have been calling for $175 billion to support our public schools, to put education in a place in which this generation of students can learn, to make this country or continue to keep this country what we always thought it was: a special place in which anyone with the ability and the desire to learn would have the opportunity to do so. And that would mean their success and our community’s and our country’s success.

We are counting on schools being able to deliver for students despite the challenges caused by this pandemic. But the President, the Secretary of Education, and the Trump administration are unwilling to commit the resources necessary to avoid a potential generational catastrophe. State and local governments
are reeling from the loss of revenue due to the economic shutdown caused by the pandemic. There is no Governor in this country—Republican or Democrat—there is no county administrator or city leader who I think would stand up and say: "We are fine. We don't need any help. We are in great shape."

No. They all have one message, and it has been coming through from the National Association of Republican Governors and the National Association of Democratic Governors: You must give us resources and flexibility to use these resources to fulfill our obligation to the people of our States.

That is the message. We are seeing school districts across the Nation starting to lay people off in anticipation of budget cuts. Even if they are able to maintain current levels of staffing and financial resources, it would not be enough to meet the upcoming challenges. Even if they could keep their staff in place, where do they get the extra money for the infrastructure repairs, for the traditional Wi-Fi, for the additional teaching changes that have to take place, for the different approaches to education one must take in order to be effective in social distance?

The School Superintendents Association of the United States estimates that the average traditional COVID-related cost per student will be $900. We need at least that.

We must go forward with a package that includes provisions of the Childcare Educational Relief Act, the Library Stabilization Fund Act, and the State and Local Stabilization Fund Act to ensure that this generation of Americans can overcome the pandemic and reach its full potential.

This is a generational crisis. Just as Americans of previous generations have been called upon to sacrifice and to commit themselves to the young of their children and grandchildren have been called upon to sacrifice and to commit themselves to the young of what we call the American dream. It is about ensuring that the next generation has it better than we do and that our children and grandchildren and their children and grandchildren have greater opportunities than we do to realize their full potential.

It doesn't matter who you are, where you are from, or when your ancestors came to this country. We are a nation built by immigrants. Every single member of this great and storied body is a descendant of those who came to America, seeking better lives for themselves and their loved ones.

The President is a second-generation American. His grandfather, Friedrich Trump, came from Germany. Our First Lady is herself an immigrant.

Yet this administration and President Trump have gone to painstaking lengths to deny, erase, and ignore the contributions of immigrants to American life and culture, innovation and ingenuity, economy and prosperity. They have worked overtime to deny the very fact that the immigrant story is America's story.

As an old saying in Spanish goes, (English translation: the statement made in Spanish is as follows): "There is nothing worse than not wanting to see what is right in front of you."

Donald Trump's endless lies and attacks on immigrants started long before he descended down that escalator in Trump Tower to announce his run for the Presidency. They haven't stopped since.

The President recently took another aggressive step in his war to erase immigrants from the face of America. He then issued an unconstitutional edict to exclude our undocumented brothers and sisters from being counted in the 2020 census for the purpose of determining representation in Congress.

His message was loud and clear to immigrant communities across the country: You are not welcome here. You don't belong here. You don't count.

His goal is to instill fear in immigrant communities, and that is shameful and un-American.

Let's be clear. The U.S. Constitution is explicit on this particular point. Article I, section 2 clearly reads: "Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons."

The census requires an accurate count of all persons living in the country. It does not distinguish between status or citizenship. It could have read that it requires an account of all citizens of the then-United States, of the Union. It could have read that it is an account of all citizens and all legal permanent residents. It didn't read that either, specifically recognized this because, as the Union was developing, there were people from different walks of life in the United States, and it purposely understood that not all of them would necessarily be citizens at the time of accounting, but who was in America at any given time from the creation of the Constitution was important—all persons.

My friends, we have been sent here to serve all of our constituents in our home States, no matter the color of their skin, their gender, or their legal status.

The history of America is intertwined with immigrant stories. In every State of our Union, immigrants work in every industry and contribute in all facets of American life—the most important parts of our lives.

They work in our fields, picking our fruits and vegetables. They are checking out at grocery stores and construction workers, building our bridges and homes. They educate our children in our schools. They treat the sick in our hospitals as nurses, doctors, and mental health professionals. They wear the uniform and carry our flag in the U.S. armed services.

In fact, during this pandemic, hundreds of thousands of immigrants, including undocumented immigrants, have put their lives on the line to serve as essential frontline workers and to keep businesses open, despite the administration actively seeking to deport them.

Like many American citizens, they are risking their lives every day, while being disproportionately affected by COVID–19, to provide others with the services they need and to protect the health and safety of our fellow Americans. It is the white, and are facing disproportionate infection and death rates from this horrible disease. They are the invisible heroes of this pandemic. They are the ones who make it possible for us to receive the essential goods and services so that we can stay home, which is what we are told by the Nation's public health officials.

But the message from the President to these essential workers, who perform backbreaking work in our fields, cashiers at our stores, and doctors at the hospital is: You are not worthy.

I ask every single one of my colleagues if, God forbid, you were infected with COVID–19, would you really care about the citizenship status of the doctor or nurse who saved your life? Would you ask for his or her legal papers before getting help? Would any of you refuse to eat fruit or vegetables in your homes picked by the calloused hands of an undocumented immigrant sweating in your fields? Would you rather not have a highway built in your State because the workers have a native language other than English?
Now, many of you would tell me that is nonsense. But yet, the Trump Presidency has been marked by deafening silence in the face of this inflammatory, xenophobic, immoral campaign against immigrants.

Just like the example of TPS and DACA beneficiaries. As my home State of New Jersey struggled in the early days of the pandemic—until recently, we had the second-most cases of COVID-19—temporary protective status holders like Madelia Cartagena in Newark and Dreamers like Daysi from Monmouth County rose to the challenge presented by the pandemic.

As more than 131,000 temporary protective status holders across the Nation, and 7,500 in New Jersey alone, Madelia was considered an essential worker as the company she has worked for in the last 17 years had to respond to the increasing demand for sanitizer dispensers.

For DACA, the fact that she was brought to the United States from Central America at just 9 years old meant nothing to the patients whose lives she was helping to save. What mattered is that she showed up when she was needed, and that she did so despite the lingering threat that DACA, or deferred action for children arrivals, would be abruptly terminated, and with it her ability to remain in this country. She showed up every day, helping to save lives.

Put simply, TPS holders like Madelia and DACA beneficiaries like Daysi help us heal and will also help our economy recover. They represent among the best of America.

To give you some context, when I say they will help our economy recover, Dreamers bring in a net $3.4 billion annually to the U.S. Treasury and generate $42 billion in gross domestic product each year—Dreamers.

Yet the administration has fought tooth and nail to send Dreamers packing, despite the American flag being the only one they have ever pledged allegiance to and the national anthem being the only national anthem they have ever sung.

Even after the Supreme Court's recent ruling—the Supreme Court, the highest Court in the land—that the termination of DACA was unlawful, the administration has openly defied the Supreme Court's order by not reopening the full DACA Program.

These Dreamers are battling the coronavirus and the Trump administration.

Polls show that even a majority of Trump voters want to protect Dreamers from deportation, and wide swaths of registered voters support Dreamers, regardless of the voter's gender, education, income, ethnicity, religion, or ideology. That includes 68 percent of Republicans, 71 percent of conservatives, and 77 percent of those who approved of the job the President is doing.

But instead of accepting the Supreme Court's decision and acknowledging the enormous contributions of Dreamers, this administration is planning new efforts to end DACA. It is no secret. They indicate as much in the latest Department of Homeland Security memo.

And let's be honest. If it is not outright termination they seek, the administration will treat the protection of Dreamers as a bargaining chip in order to undo our legal immigration system. They want to cut legal family immigration in exchange for what they call a merit-based immigration system. That would be pretty shameful and offensive because there are many who are here who would never be here under a merit-based system.

This administration and my Republican colleagues need to open their eyes and realize how we are treating immigrants in this country. We need them to do it now, in this moment, as we are pleading with our colleagues to do what is right, to give families a fighting chance to beat the virus and put the economy back on track.

We cannot ignore the fact that immigrant families will likely be excluded from help desperately needed during this pandemic in the next COVID–19 package.

So far, undocumented immigrants who pay their taxes and selflessly risk their lives as essential workers to save others have been deliberately excluded from the Federal pandemic assistance Congress has provided.

Virtually all immigrants who use an individual taxpayer identification number—or as we call it, an ITIN—to file their Federal taxes under U.S. law, which is totally permissible, and their U.S. citizen spouses—U.S. citizen spouses—and children were left out from any economic impact payments in the CARES Act.

In other words, we denied American citizens and their American citizen children badly needed assistance as a punishment—as a punishment—for being non-citizens. We denied immigrant or belonging to a mixed-status family during this economic emergency.

I grew up believing that an American citizen is an American citizen—is an American citizen, regardless of whom I marry, regardless of whether my children are the offspring of one parent who is an American citizen and another one who is not.

Thousands of American citizens were denied their $1,200 in stimulus checks to which other American citizens were entitled to just because of who they love. American citizen children were denied $500 in assistance to which other American citizen children were entitled. It is wrong.

Are there two classes of American children in this country now? Are there two classes of American citizens now? As we consider the next COVID–19 relief package, Congress has to fix this injustice. If you work hard, follow the rules, and pay your taxes, you deserve tax relief, regardless of how you filed. At the very least, if you are an American citizen living in a mixed-status family or an American child who is the offspring of a mixed-status family, you should not be denied the cash benefit you are rightfully entitled to. It is just that simple. It is justice. It is what is right.

In the face of this unprecedented public health crisis, we should not let the insidious, cruel, and relentless scapegoating of immigrants prevent us from providing much needed relief to the very same families and workers who are helping us survive. All families deserve to be treated with dignity. It is the humane thing to do.

But that is not all. As we expanded access to free COVID–19 testing, undocumented immigrants were left behind. Now, that makes no sense. The coronavirus doesn’t check your status before it infects you.

An undocumented immigrant living in America with COVID–19 is no less a threat to become a seriously ill individual or spread the virus than an American citizen who has been infected. The virus does not discriminate on race, gender, ethnicity, borders, or legal status. As a public health proposition, you want everybody to be tested.

Given the pandemic’s disproportionate impact on low-income and communities of color and the fact that those communities of color are serving in essential industries, I would argue that they are more likely to be infected.

What good is it to any one of us if someone, regardless of who or where they are, is walking around with an undiagnosed case of COVID–19 because they weren’t eligible for a test? That person can unwittingly infect their relatives, their neighbors, and their co-workers.

If we ever want to see our economy and lives return to some semblance of normal, there must be access to free COVID–19 testing, treatment, and vaccines for everyone living in the United States—everyone living in the United States, and that includes regardless of immigration status.

America has to do better to acknowledge the hard work, sacrifice, and contribution of immigrants. Sadly, these past 4 years have seen a rise in hate crimes and hateful rhetoric targeting immigrants. Led by the President, immigrants are continuously scapegoated for every problem.

One of my Senate colleagues even suggested recently that Hispanics were to blame for the rise in COVID cases across our own country, instead of the epic failure of the administration to develop and implement a national pandemic response plan or one that includes culturally competent outreach to minority-majority communities.

As elected officials and leaders in our communities, we have a moral responsibility to rise above the immigrant fearmongering and the President’s hateful rhetoric to reunite our country. Not only must we include immigrant families in the upcoming relief
Americans have lost their jobs. Last month, the Senate allowed a $600-a-week increase in their unemployment benefits to expire. Over half of the American people have seen a loss in their income. Yet the Senate continues to do nothing.

Forty million Americans—an unbelievable number—40 million Americans are in danger of being evicted from their homes while the Senate has allowed a moratorium on evictions to expire.

This is not a great shock. Everybody knew this would happen. Yet the Republican leadership here has allowed that moratorium to expire.

Twenty-six million Americans cannot afford food to feed their families, and those Americans are lining up at emergency food banks in record numbers, the vast majority of whom have never been to an emergency food bank in their lives, and the Senate is doing nothing.

A recordbreaking $4.5 million American residents recently lost their health insurance. Under our dysfunctional healthcare system, when you lose your job, you often lose your health insurance, and that now leaves us with over 90 million Americans who are uninsured or underinsured. It is, 90 million Americans who today worry about whether they can afford to go to a doctor when they or their kids are sick. The Senate is doing nothing.

In total, American households have lost a staggering $5 trillion in wealth since this pandemic began. It is an unimaginable number. What does that mean? That $6.5 trillion is a number too large for many of us to fathom, and the Senate does nothing.

Although I know there is some obfuscation about this, what everybody in America should understand is that over 2.5 months ago, the House did its job. Over 2.5 months ago, the U.S. House of Representatives did its job, and they passed legislation responding to the enormous pain and suffering that the American people are now experiencing. They did their job, but the Senate has not.

The Heroes Act passed by the House in May would extend the $600-a-week increase in unemployment benefits until January. I want everybody to understand that. I think sometimes there is confusion. The House did its job. Under the House bill, if that bill were passed, everyone here in the Senate, people would continue to get that $600 supplement in their unemployment benefits.

The House bill would provide over $900 billion to State and local governments to prevent the massive layoff of teachers, firefighters, nurses, construction workers, and millions of other workers who are working the public during this horrific pandemic. Over 1 million workers who work for State and local governments have already lost their jobs and are not provided any substantial aid to State and local governments. There will be a mass epidemic of job loss there.

The House bill would provide hazard pay to essential workers, which is something that is long, long overdue. People are putting their lives on the line and sometimes dying in order to provide us with groceries or to get us to work on a bus or on a train. Those workers need hazard pay, and that is what the House did.

The House also passed a provision in their legislation to require businesses to adopt strong health and safety standards to protect their employees and their customers.

The House bill would provide $175 billion in rental and foreclosure assistance to make sure that millions of Americans do not lose their homes or get evicted from their apartments and end up on the streets.

The House bill also provides vital funding for nutritional assistance, for election security—an enormous issue for the entire nation—to have free and fair elections—and also substantial funding for the U.S. Postal Service, which is now being sabotaged by the Trump administration. That is what the House passed 2.5 months ago. I agree with every word that was in the House bill? No, I don’t. I think much of it, however, is excellent. But we can and should make improvements in that bill here in the Senate. That is what we should be doing—accepting the bill and improving it.

Two and a half months after the House passed its bill, Senate Republicans finally woke up, and they said: We have to do something. We have to respond. The public wants us to respond. We have to do something. And they finally released their bill to respond to the coronavirus crisis. Unfortunately, although not surprisingly, the Republican plan is woefully inadequate for the work we are facing to have fair elections and to have free and fair elections—and also substantial funding for the U.S. Postal Service, which is now being sabotaged by the Trump administration. That is what the House passed 2.5 months ago. I agree with every word that was in the House bill? No, I don’t. I think much of it, however, is excellent. But we can and should make improvements in that bill here in the Senate. That is what we should be doing—accepting the bill and improving it.

The Senate Republican bill provides nothing for hazard pay. If you are a grocery store worker, if you are a truckdriver, if you are a busdriver, if you are working in that business, the Senate Republican colleagues could control themselves just a bit and not pile on more benefits to the people who don’t need them and maybe—just maybe—pay attention to the people who do need help.

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$29 billion for the Pentagon. Last week, this body passed a $740 billion bill for the Pentagon, which is more money than the next 11 nations combined, most of which are our allies—a huge military budget, but clearly, in the midst of an ongoing pandemic, the Pentagon needs even more.

The Republican bill does include another tax break for the meals and entertainment of wealthy CEOs. The Republican bill does include another $1 billion for an FBI building, $1 billion for new surveillance planes, $856 million more for F-35s, $360 million more for a new missile defense system, and $283 million more for Apache helicopters. Quite surely, it does make sure that Apache helicopters have to do with a pandemic, but be that as it may, they did put money in for the helicopters and for the Pentagon.

Under the Republican bill, if you are a wealthy business executive, you will get a 100-percent tax deduction for a three-martini lunch—a 100-percent tax deduction for having lunch at some fancy restaurant and spending another couple hundred dollars on your meal. But if you are one of the 26 low-income Americans who do not have enough food to eat, you get nothing in the Republican bill. In other words, when Republicans, in their bill, refer to nutrition, they are talking about tax breaks for the very wealthy, but not one nickel for the children in this country who are facing hunger.

Under the Republican bill, if you are a profitable defense contractor, you will receive an additional $1 billion in corporate welfare, but if you are one of the 92 million Americans who are uninsured or underinsured, you get nothing.

Under the Republican bill, if you are a business owner who forces employees to work in an unsafe and unhealthy environment, you are rewarded. The Republican bill will provide you with the immunity you need from lawsuits if your workers get sick or die from the coronavirus. And, in other words, you have employers who are saying: You have to come back to work, or else you are going to get fired and not be able to feed your family. But the working conditions that we are providing for you are not protective of your health, read if you get sick, if you die, you are on your own. Don’t hold us responsible for that.

The Republican bill does not provide nickel for essential workers during this pandemic, but it does make sure that you do not receive the hazard pay or the personal protective equipment that you need and deserve.

Unbelievably—in the richest country in the history of the world, we have tens of thousands of workers—not only doctors and nurses but workers from all kinds of professions—who are interacting with the public who need high-quality personal protective equipment, and they don’t have it.

While the Republican bill slashes unemployment benefits by 43 percent for 30 million Americans who lost their jobs, it continues a $135 billion tax break to 43,000 millionaires, primarily in the real estate and hedge fund industry. In other words, we stop the $500 benefit for unemployment, but we maintain the $135 billion tax break for the wealthy.

It goes without saying that I am strongly opposed to the Senate Republican proposal. Instead of listening to the needs of working families and the poor, instead of providing more tax breaks to the very wealthy, we need to provide more economic relief to the tens of millions of Americans who are hurting economically.

Just last month, I asked my constituents in Vermont and, in fact, all over this country to write to me, email me, and tell me how the economic crisis we are in has impacted their lives. We received thousands and thousands of responses.

I would like to take a moment to read just a few of the many stories that came in because I think sometimes it is very easy for us to live in a bubble and not really appreciate what is going on. It is especially more difficult when, because of the pandemic, many of us can’t get out the way we would like to get out. So I used our email approach to reach out to people in Vermont and around the country and asked them to tell me what is going on, what is going on in your lives. Let me just repeat and read to you some of the responses to a few of the responses that I received.

A gentleman named Dominic from Williston, VT, wrote:

Without the additional $600/week benefit, my benefit will automatically revert to the minimum $191/week.

So he is now getting $791. If he didn’t have that $600, it would be $191.

At that rate, my wife and I will be in serious crisis within a month.

Like millions of other people, Dominic did not have a lot of money in the bank. If he did not get that $600 on top of his unemployment benefit, which in Vermont, for him, would be $191 a week, he would be in a serious financial crisis.

Denise from Waitsfield, VT, wrote:

I lost my job due to COVID-19 on March 16, 2020. The PUA program and the additional $600 per week is keeping my family out of debt and allowing us to afford our mortgage. Without PUA and the additional federal stimulus, our family would not be able to survive financially.

In other words, without the unemployment and that $600 supplement, her family would not be able to survive financially.

Casey from Burlington, VT, wrote:

I have been unemployed since March 20th and have had just limited options for finding a new job in a timely fashion; losing the extra $600/weekly unemployment benefit would be devastating for me. I know it would be devastating for many others, including many friends and family.

Amanda from Isle La Motte, a beautiful town in Northern Vermont, works, as it happens, while living in Vermont, for an unemployment office in the State of Massachusetts. She wrote—and this speaks to the job that she now has:

I have heard heart wrenching stories. I’ve had a conversation with a man who had his kids, families telling them they’ve been evicted and are homeless. A single dad who was a self-employed musician, he cried with me saying his savings had run out, he had no money for food. This man’s story will stick with me for the rest of my life. I’ve cries so many days for all these people I can’t help. I’ve been on the phone for an unemployment call center for a day. The heart-wrenching stories they will hear.

I thank Amanda for that. I thank Amanda for the work she is doing and what she is trying to do but for reminding us that, in too many instances, Members of Congress are isolated from the reality that is taking place out there.

The stories go on and on and on. Now that the $600 a week in unemployment benefits has expired, the moratorium on evictions has also expired, this crisis is only going to get worse and worse and worse. In my view, we need to extend the extra $600 a week in unemployment benefits for the 30 million Americans who are hurting economically.

I would go further. I believe that we need to make sure that every working-class person in this country receives $2,000 a month until this crisis is over, so they can have the security they need that they and their family are going to survive this crisis with dignity.

And we cannot continue to ignore the reality that 92 million Americans today are uninsured or underinsured. While I, of course, believe in Medicare for All and will continue that fight, at least during this crisis, we should make sure that all of the 92 million who are uninsured or underinsured get covered by Medicare for their out-of-pocket expenses. It is not asking too much that, during this crisis, people who have private insurance or Medicare or Medicaid not have to pay out-of-pocket expenses.

We need a coronavirus relief bill that benefits the working class of this country and low-income people, not the wealthy and the well connected.

Now, what I think many people do not fully understand—it doesn’t get a whole lot of attention—is that, during this pandemic, not everybody is hurting. Not everybody out there needs the Senate to act. While over 30 million Americans have seen their $600 a week in unemployment benefits expire, the 670 establishments taken by the Federal Reserve to prop up the stock market, 467 billionaires in this country have seen their wealth go up
by over $730 billion since the pandemic has begun. Let me repeat that: 467 billionaires have seen their wealth go up by over $730 billion in the last several months of this pandemic.

Millions of people are unemployed, struggling to put food on the table. Yet, 467 billionaires have seen their wealth go up by over $700 billion. Meanwhile, during the last 4 months, while the very, very wealthy have become much richer, American households have seen their wealth go down by $6.5 trillion.

In the midst of everything else we are experiencing, we are currently looking at what is likely the greatest transfer of wealth from the middle class and the poor to the very rich in the modern history of this country. A massive transfer of wealth: the working-class and middle-class poor getting poorer; the people at the very, very top becoming phenomenally richer.

In other words, in the midst of a pandemic, in the midst of an economic meltdown for working families, in the midst of a great struggle regarding systemic racism and police brutality, in the midst of the existential threat to our planet of climate change, in the midst of an undermining of democracy and moving this country in an authoritarian direction—in the midst of all of that, we are also seeing a massive increase in income and wealth inequality and the movement in this country toward oligarchy.

Let me just give you a few examples of the incredible growth in inequality that is taking place right now as we speak. While Amazon is denying paid sick leave to its employees, while they are denying hazard pay and personal protective equipment to 450,000 of their workers, Jeff Bezos, the owner of Amazon, has increased his wealth by over $70 billion. Yes, one person, during the pandemic, has seen his wealth increase by $70 billion in 4 months.

While U.S. taxpayers are subsidizing the starvation wages at Walmart by providing food stamps and affordable housing and Medicaid to the workers who are employed by the Walton family—Elon Musk, the owner of Walmart—has made over $20 billion during the pandemic and now has a net worth of over $200 billion. While 40 million Americans face eviction, Elon Musk has nearly tripled his wealth over the past 4 months and now has a net worth of more than $70 billion.

While millions of Americans are lining up at emergency food banks because they don’t have enough money to put food on the table, Mark Zuckerberg, the founder of Facebook, has increased his wealth by more than $37 billion during the pandemic and is now worth over $70 billion.

In a time of massive wealth and income inequality, when so many people in our hurting, it is morally obscene for billionaires to use a global pandemic as an opportunity to make outrageous profits and to very substantially increase their wealth, and that is why I will be introducing legislation tomorrow to tax the obscene wealth gains billionaires have made during this public health crisis.

According to Americans for Tax Fairness, we tax 60 percent of the windfall gains these billionaires made from March 18 until August 3, we could raise over $420 billion. That is enough revenue to allow Medicare to pay all of the out-of-pocket healthcare expenses for every man, woman, and child in this country for 22 months.

So that is the choice we have to make. Do we have a tax on the obscene increase in wealth that has taken place for a few hundred billionaires during this pandemic or do we have a fair tax on their wealth and say to every man, woman, and child: During this crisis, you will no longer have to pay anything out of pocket for the healthcare you and your family need?

By taxing 60 percent of the wealth gains made by billionaires—so, in a nation of 330 million people, we are talking about a tax on 467 of them—a tiny, tiny, tiny fraction of 1 percent. Just by doing that, we could guarantee healthcare as a right for all people in this country for an entire year.

By the way, if anybody out there is very worried about the impact of this tax on the billionaires, on the people who are being taxed—how will they survive a 60-percent tax? That is a high price if we ask them to make it? Well, we have left them more than $310 billion to survive with. That is a $310 billion increase in their wealth. That is what we have left them.

In my view, above and beyond this circumstance, above and beyond the pandemic, this Nation must address the obscene level of income and wealth inequality which exists. It existed before the pandemic, and it is even worse now. In 2020, we tolerate three people in this country owning more wealth than the bottom half of our Nation at a time when 30 million Americans have lost their jobs and 93 million people are either uninsured or underinsured. We need to reconsider our value system and make it clear that so few cannot have so very much, such obscene wealth—which is exploding during the pandemic—while so many of our people are living in economic desperation.

Now is the time to develop a new set of priorities and a new set of moral values for this country. Now is the time to tax the winnings of a handful of billionaires to improve the health and well-being of tens of millions of Americans. Do you think we can ask the Senate to act on behalf of the working class of this country, the people who are hurting like they have never hurt before—not in our lifetime—and have the courage to tell the billionaire class who are doing phenomenally well, that they cannot have it all.

With that, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORONAVIRUS

Mr. CASEY. Mr. President, I rise tonight to talk about a couple of issues I know that will be considered—at least I hope will be considered—in the negotiations that are under way.

Later in this hour, we will be joined by three of my colleagues: Senator WHITEHOUSE, Senator BLUMENTHAL, and Senator DUCKWORTH. Each of us will be talking about these issues from different perspectives, but all focused on those in our society who are most at risk; in the midst of this pandemic and in the midst of this economic and jobs crisis that we are confronting right now. We know that this is the most difficult public health crisis in a century, and one of largest, if not the top two, job crises we have ever faced.

When we talk about Americans who are most at risk, among them are, of course, older Americans. Tonight, I will spend some time talking about older Americans in nursing homes who are in danger. In the midst of this pandemic and in the midst of this economic and jobs crisis, we cannot inaction. And people with disabilities who need the benefit of—as do many older Americans need the benefit of—home and community-based services; and, third, Americans who are in communities of color who need the benefit of Medicaid, among other programs that we should be focused on.

Let me start with nursing homes. We know that in the context of nursing homes, the skilled care that is provided there is the highest level of care for an older American or sometimes a person with a disability. We also know that is care that is provided to men and women who have done so much for the country—Americans who have fought our wars, worked in our factories, built the middle class, built America in so many ways and gave us life and love. All that they ask and all their families ask is when they are in a long-term care facility, especially a nursing home, that they get the skilled care that is quality care, and in the midst of this crisis, that we are taking every step possible to protect them from the virus and to keep them safe.

Unfortunately, that hasn’t happened in America today.

As we speak tonight, more than just a couple of days ago, the number was lower than this, but now it is more than 62,000 Americans who have died in long-term care settings. Most of those are in nursing homes. When you add up the number of residents who contracted the virus and died with the workers who have died, the number is more than 62,000 Americans. That is
about 40 percent of all the deaths in America. We have to take steps to get those numbers down—both the death number down as well as the case number. Of course, the two are directly related.

A number of months ago, Senator Wurts and I put the death number down in nursing homes. We know exactly what works. Those nursing homes that were implementing these best practices months ago—way back, sometime in early March or even in February—are the ones that had lower numbers, fortunately, of deaths and case numbers.

We know that you have to invest in a series of best practices, which means having enough personal protective equipment for everyone in a nursing home, but especially the residents and workers. We know that is essential to keeping people safe. We know that testing is part of that, of course, and having the capacity to test frequently and to have results transmitted very quickly.

Cohorting is not a term that we hear a lot about, but it is a very simple concept. Cohorting means you separate the residents with COVID-19 from those who don’t have it. As easy as that is to say, it is more difficult to institute in a nursing home. Sometimes you have to retrofit. Sometimes you have to take other steps that funding is needed for.

Cohorting works, which stands to reason, but we know it works now that we have some experience with the virus.

We know that surge teams are critically important, as well, as part of these best practices. If you have an outbreak in a nursing home—and we have had examples of that in my own state of Pennsylvania and in so many other states—when the virus is spreading and there is a crisis in that nursing home because of the virus, you might need more help. You may need more doctors or nurses or certified nurse’s assistants or so many other critical personnel in that nursing home. So $20 billion is a good down payment on protecting Americans in nursing homes. Our bill would do that.

The second issue in terms of at-risk Americans is older Americans and people with disabilities who need the benefit of home and community-based services. Again, the Republican bill proposed by the majority here in the Senate doesn’t mention Medicaid. In order to attack the nursing home death problem—or to invest in home and community-based services, we need to invest in Medicaid. We must stabilize and strengthen home and community-based services to keep older adults and people with disabilities both safe and healthy.

To do that, you have to pay the workers more. The workers should be paid a living wage. When those workers are paid more to provide that critical care, they should be provided the personal protective equipment that they need to keep themselves safe and also that person with a disability or a senior, if someone is coming into their home.

Without sufficient dollars, human service organizations cannot recruit and retain the direct support professionals and personal care attendants who provide essential healthcare and community-based services for seniors and people with disabilities.

This is just one example, among many. This is a picture of Marisa. She is from Allegheny County, PA. You can see by the picture—you may not see it from a distance—that the T-shirt says, “Proud to Be Your Neighbor.” You can barely read the words: “Giant Eagle.” That is one of the great supermarket chains in Southeastern Pennsylvania.

Marisa uses home and community-based services to live independently. She is a volunteer at a coffee shop and works at one of the Giant Eagle grocery stores and has done that work for 19 years. All these years later, she is one of the beneficiaries of this program. She can get services in the home and in her community.

The key to this is that without dedicated dollars, agencies like Achieva, one of the many agencies that does this work and provides these services, these agencies will not be able to provide services that people with disabilities like Marisa and families like hers need.

Pennsylvania, like many States, has seen Medicaid centers for living. They told me just last week on a phone call that as for helping people move from a nursing home or a congregate care setting, where often the risk is higher with the virus, often their ability to move people from that setting who want to go into a home or an apartment is fully dependent on the dollars from the funding they have. They have been able to move some people, but very few because they don’t have the funding to do that.

Another implication of this concern we have is that the direct service providers have scaled back these services. Most don’t have enough cash reserve for longer than a month because of the lack of funding. Just imagine that.

I introduced a bill 4 months ago, S. 3544, which provided dedicated dollars to respond to this crisis. But it wasn’t until the HEROES Act passed by the House—not yet passed by the Senate, but passed by the House 10 weeks ago—included provisions of my bill, which was supported here in the Senate by 28 Senators.

I have just two more issues. One is Medicaid and the other issue I will address is on the liability debate.

Of course, we know what the Medicaid program is. It has been around since 1965. Medicaid is the program that helps 75 million Americans. If you add up the children on Medicaid, which is about 31 million children, and people with disabilities, which is another 9 million, you have roughly 40 of the 75 million.

Medicaid is not just a program. It is a program that saves lives, maybe even more so in the middle of a public health emergency that we have been in all these months.

Medicaid is also, I believe, a reflection of who we are as a nation. I think it also reflects whom we value. That is why Medicaid is so critical to seniors living in nursing homes who are sometimes from relatively middle-class families who could not afford long-term care.

Many Americans with disabilities—as I mentioned, 9 million at last count, and of course, 31 million children—many of them live in rural Pennsylvania, in rural America. In fact, if you look at it by percentage, it is often the case that in rural counties, there is a higher percentage of children on Medicaid and the Children’s Health Insurance Program. There is a higher percentage in a rural county than children living in urban communities in it. So rural and small town America depend heavily upon Medicaid.
They depend upon Medicaid in another way when you consider rural hospitals. Often the largest employer in a rural county in Pennsylvania—or the second or third largest employer at least—is a rural hospital. We have 48 of our 67 counties that are rural, and in those 48 counties, more than 30 of the top employers in the county are hospitals—or I should say the top or the second or third highest employers. So, of the top three employers in the most rural counties, you have a hospital. These are places that are very vital for the rural hospitals—operating on a thin margin and is evermore stressed in a pandemic.

Medicaid expansion, of course, made it possible for millions of Americans to get healthcare through the Affordable Care Act, and we just saw yesterday, in the State of Missouri, the vote there to expand Medicaid. It has been happening in a lot of States that may not have embraced Medicaid expansion a number of years ago but that are now embracing it.

Medicaid is a safety net in this time of crisis, in terms of the economic and jobs crisis we are living through. It, of course, impacts State budgets. One of the biggest employers in State budgets is Medicaid. For example, in our State of Pennsylvania, our unemployment rate in June was 13 percent, and there were 821,000 people out of work. In some counties, the unemployment rate is 14 percent or 15 percent or 16 percent or 17 percent. So, when 821,000 people are out of work in a State, a lot of them have lost their healthcare, and they have turned to Medicaid.

Now, in the Families First bill, way back in the early part of March, the matching dollars—the so-called FMAP, which means the Federal matching dollars for Medicaid—were increased by 6.2 percent. That was a good step in the right direction, but Governors in blue and red States will tell you now, as do a lot of other people will tell you now, they need an additional increase in Medicaid. I think the 14 percent FMAP, or matching dollar percentage, in the Heroes Act in the House made a lot of sense. I hope we can get to that number in the bill we are considering or we hope to be considering soon.

The Republican bill does not have additional dollars for Medicaid, matching dollars, despite the fact that many of the Republican Governors around the country have asked for this kind of help. So I hope that will change as the negotiations move forward.

I want to end on time if I can, maybe in the next 10 minutes. That is the goal.

Finally, I want to talk about the liability shield issue. There are a lot of different perspectives on this. Let me talk about it in the context of those we are discussing tonight—seniors in nursing homes, people with disabilities who need home- and community-based services, folks who are in communities of color, and others who need the benefit of Medicaid.

In my judgment, the Republicans’ proposal, when you look at the liability proposal, would slam the doors of justice on those who want to bring an action. We have had a lot of commentary lately about our criminal justice system and its defects. Its shortcoming is the racism, the racism about the way police treat people that, I believe, permeates that system. In this context, we are talking about the civil justice system.

What do we do about that part of our justice system for a citizen to bring an action in a court of law to deal with an injury of some kind either by way of negligence or intentional conduct?

In this context, we have a proposal by the majority to short-circuit, to undermine, that system of justice. It will affect those we are here to talk about tonight in very real ways whether they are low-income workers or people with disabilities or older adults or even, more broadly, all workers.

Why do I say that? If you are going to use a crisis like we are in now to try to achieve gains that come in this Champs-Hilliard tried to achieve for—through the so-called tort system—really, the civil justice system—and you paint with a very broad brush, you are going to slam those doors of justice pretty tightly. Just by way of comment from a Georgetown law professor, David Vladeck, in reference to this proposal, he recently explained the “extreme reach” of the proposal vastly exceeds “any prior tort reform bills that have been introduced in Congress.” He went on to call this corporate liability shield provision “essentially impenetrable.” That is how he described the strength of this shield. He warned that such proposals would give “license for irresponsible and reckless conduct.”

When it comes to liability, it would also preempt all State laws requiring businesses to act reasonably. It would impose a heightened—so-called—clear and convincing proof on plaintiffs instead of the typical preponderance-of-the-evidence standard.

We know that in our system, in a civil case, the preponderance-of-the-evidence standard is the lowest standard. Just a little more than 50 percent of the jury would have to make the determination in terms of liability. We know that, in the criminal system, in order to find guilt, it has to be found beyond a reasonable doubt. That is the highest standard. But the standard that are given the middle standard of—so-called—clear and convincing. That burden of proof is right in the middle. In a civil lawsuit, this bill would elevate it from a preponderance to clear and convincing. I think, a step in the wrong direction.

The proposal would also force a worker, a consumer, a resident of a nursing home, or even a patient to show that a business failed to make "reasonable efforts to comply with any applicable government standard."

The issue here is that the Federal Government hasn’t issued any mandatory standards. So these entities—many of them employers of one kind or another, sometimes very large employers—would be able to follow any standard they would choose. They could choose a local standard or a State standard or a Federal standard even if they knew that people were to choose would be the weakest standard as it relates to the protection of the worker.

What the administration could have done, which I called for and many Members of the Senate called for, would have been to promulgate a standard against which the actions of an employer could be measured.

One idea was to promulgate an emergency temporary standard. I don’t know why the Department of Labor wouldn’t do that in the middle of the worst public health crisis in a century—why the Department of Labor would not simply take that step. That would give clarity to employers. That would give clarity to so many Americans about what they would be in a workplace to keep people safe from a raging virus, but they chose not to do that.

Without any mandatory standards, it is wide open. Then we are supposed to believe that taking away the right to bring an action is somehow going to be just fine for a period of time. An emergency temporary standard by the Department of Labor should have been promulgated months ago, and it could have been done. It is not the uncertainty—the lack of clarity—that prevails right now.

With regard to the liability provisions, this bill would immunize healthcare providers and facilities from any claims arising from “coronavirus-related healthcare services.” That is pretty broad. How does the bill define that? The bill defines that as follows: the treatment of patients “for the purpose,” not the treatment of COVID-19 patients during this public health emergency. That is about as broad as it gets, and that impenetrable liability shield would be in place for several years. It gets worse when it comes to people with disabilities. To add insult to injury, just consider what we did last week. Our Nation celebrated the 30th anniversary of the Americans with Disabilities Act—a law that extends civil rights protections to people with disabilities in every State. President George H. W. Bush signed the bill into law, and Republicans and Democrats and Independents all over the country celebrated its 30th anniversary.

Literally, the next day, the majority proposed this corporate liability shield, which would blow a hole in the protections provided by the so-called ADA after the celebration of 30 years. That bill, the Americans with Disabilities Act, makes it possible for people with disabilities to bring legal claims in American society, but this corporate liability shield would undermine those very protections.
It would decimate Federal protections granted under other landmark employment and civil rights laws, including the Age Discrimination in Employment Act, the so-called ADEA; the Genetic Information Nondiscrimination Act; and the ADA, the Occupational Safety and Health Act, which is responsible for all of the seminal actions, or pieces of legislation, to protect workers. It would also adversely impact the Fair Labor Standards Act as well as title VII of the Civil Rights Act of 1964. I don’t know what could have more of a wrecking ball in place for these landmark pieces of legislation in the middle of a pandemic.

I will wrap up by saying that we have a lot of work to do, obviously, in these negotiations. In the midst of the negotiations, we ought to be thinking about the most vulnerable, whether they be older Americans, children, people with disabilities, or folks in communities of color, who have been adversely impacted in so many ways and evermore so in this time of crisis.

I will not enter into it the RECORD, because it will be in the RECORD anyway, but I am holding in my hand a letter that we sent to Leader MCCONNELL in the Senate, and me, as well as no less than 40 of our colleagues, which goes through these concerns that we have for investments in our home- and community-based services. It goes through the concerns we raised about the corporate liability and the protection of those in long-term care facilities. As a result, her mom’s cognition has declined. The presence of her daughter was part of what kept her active, kept her moving. She used to take her for walks every day.

Now, the best they can do is Skype, and her mom barely recognizes the little image on Skype.

So behind 750 deaths, behind collapsing institutions that have served elderly people for 50 years are these personal stories of broken relationships.

Barry in Narragansett has been married to his wife Dorothy for 46 years. Now he can only see her through Plexiglas and only twice. That is a real cost.

Germaine, 88 years old, not being able to see her daughter; Barry and Dorothy, after 46 years of marriage, separated by Plexiglas, unable to see each other.

Those are small concerns, but you can multiply them across the population of our nursing homes and of our long-term care facilities.

And if that isn’t something that the Senate will care about, then there is something wrong with the Senate. We have tried to give the Senate something to do, something we can be for. So we have the Nursing Home COVID-19 Protection and Prevention Act. It has $20 billion for staffing support, for testing—because there is not enough testing—for personal protective equipment, for the staff who serve, really heroically and tragically underpaid in these circumstances, in these facilities.

It encourages successful practices like cohorting. It provides responses like surge teams. When a place becomes so hit with COVID that the staff are quarantined out, who is going to come in? We were talking about deploying the National Guard in nursing homes. No, we need trained surge teams that provide for those things and for people to learn what is wrong with this Senate.

I will close by talking about what has been called liability protection but is, in fact, corporate negligence amnesty.

I have been around here a little while, and I have been through the immigration debate. And in this building, we heard people talk about children—children who were brought to this country who were innocent of any misdeeds. In a fact-finding mission. They were, by law, innocent, and they had done no one any harm. Children guilty of no misconduct, innocent who had done no one any harm. And what was the word we heard? ‘Amnesty.’

We can’t have amnesties around here that have to be followed—for children who were innocent and had done no one any harm.

What does the corporate negligence amnesty bill do? It gives corporations that are not innocent, that are negligent, that have caused harm, and that have even caused death, amnesty.

If that is the standard, when you are small and innocent and a child and have done no harm, then we are going to be outraged at any amnesty for you, at any kindness, but if you are a big corporation and you actually are negligent and as a result of your negligence someone dies of this disease, what is the solution? Am we going to be outraged at any amnesty for you, or what is what we will do. We will help our corporate friends.

If that is where this Senate is going to stand, then there is something wrong with this Senate.

Oh, and by the way, this is no small thing. This is no small thing, by the way. The right to a jury began, really, with respect to the nursing home population. I am delighted to join him to discuss what COVID is doing to the elderly Americans who are in our nursing homes and long-term care facilities, because this illness has swept like a savage scythe through those facilities.

In the State of Rhode Island, 750 residents of long-term care facilities have died of COVID. We just crossed 1,000 deaths statewide, and 750 are at these facilities. If that doesn’t attract the concern of this Senate, something is very wrong with this Senate.

Across the country, the death toll in nursing homes and long-term care facilities, just as Senator CASEY said, is 62,000 Americans. My dad served for 5 years in the Vietnam conflict. Over the decades of the Vietnam conflict, we sustained over 58,000 American military casualties.

That means the death toll in our nursing homes and long-term care facilities—just in COVID, just in these months—is greater than the death toll of our soldiers in Vietnam.

And if that is not enough to attract the attention of the Senate, something is wrong with this Senate.

In Rhode Island, there is a little nursing home—just by way of example—called Hallworth House. Hallworth House is a great little place. It has been operating for half a century. It opened its doors in March, 1968. It opened its doors by order from CMS. They do a great job.

It was announced that it will permanently close at the end of August due to COVID. It had 51 residents, and by June, 29 had been infected; 12 had died. Of its staff, 20 were infected and had to be quarantined. It couldn’t survive that. It is closing.

And the stories behind the institutions like Hallworth House are the stories of people like Therese in Lincoln. Therese’s mom Germaine is 88 years old. She has Alzheimer’s. She is a resident of a nursing home in nearby Manchester. She is being quarantined out of her facility. Since March 11, Therese hasn’t seen her mom since March 11. This is a woman with Alzheimer’s, living in a facility. As a result, her mom’s cognition has declined. The presence of her daughter was part of what kept her active, kept her moving. She used to take her for walks every day.

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We have a solution, and I hope very much the Senate will care enough to consider our solution in whatever bill we wind up beginning soon.

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Across the country, the death toll in nursing homes and long-term care facilities, just as Senator CASEY said, is 62,000 Americans. My dad served for 5 years in the Vietnam conflict. Over the decades of the Vietnam conflict, we sustained over 58,000 American military casualties.
They have served and sacrificed, and we owe them places that are safe and clean and, yes, healthy—at least conforming to standards that we know are necessary to preserve them from disease.

And here is the blunt truth: A disproportionate number of the deaths have occurred in these nursing homes. In Connecticut, as is the case in many other States, the pandemic has hit nursing homes especially hard. Of over 4,400 COVID–19 deaths in Connecticut so far, about 65 percent of all of them—that is, 2,900—have been amongst individuals living in nursing homes. That is a searing indictment of our society. It is staggering.

And so I am proud to join with my colleague, Senator CASEY, others who have come to the floor, like Senator WHITEHOUSE. I especially want to thank Senator CASEY because his leadership has been so instrumental in this effort.

We need now to make nursing home reform and funding part of the next package we pass here. We have all seen the signs “Heroes Work Here” outside nursing homes, and they are well deserved.

I have visited a number of them. Most recently, the Riverside Health and Rehabilitation Center in East Hartford and the Mary Wade facility in New Haven.

What struck me most was, in fact, the heroism of these workers. Heroes do work there. They have put their lives on the line. They have worked for duty, despite the threats to their own well-being and the threats to their own health and safety and their families. They have been there for the people who live in those nursing homes. They deserve to be recognized and rewarded, not just in work but in money, in hazardous duty pay. The $13 per hour on top of regular wages that is part of the HEROES Act as the Heroes Fund. It should be part of what we do next as a relief package. We need to put our money where our mouth is in saying we support those essential frontline workers. Let’s recognize and reward them but also retain them and make sure we recruit more of them because we need more of them.

Let’s put our money where our mouth is, not just for our frontline workers, not just for the hazardous duty pay. The Heroes Fund as it stood was meant but for the people they serve in the conditions and care that prevail in these nursing homes. The heroes are not only the workers, they are the residents because they are veterans, teachers, firefighters, nurses, parents and grandparents, friends, community leaders, mentors. They are the Little League coaches who are now at an age where they are not going to the baseball field. They are the firefighters and police who once stood proudly in the front lines and now depend on others to help them stand.

We know that older Americans are more vulnerable to this insidious virus. We cannot simply surrender. We must act and we must protect those nursing home residents. Let’s also be blunt about where the effects fall because these health disparities also have a racial equity component. They not only affect older people who are vulnerable, they also affect older people in communities of color even more heavily.

Those disparities are unacceptable. A New York Times analysis of nursing homes found that nearly all—97 percent—of Connecticut nursing homes where at least a quarter of the residents are Black or Latino reported a coronavirus case. So there is a gap between homes with significant minority populations and homes that do not have them. Addressing this crisis in our nursing homes means we must address the racism that accounts for those disparities and mars our Nation. We can never forget that these residents of nursing homes are more than numbers. More than statistics; they are real people. As shocking as the numbers are, they are less dramatic than what you and I have seen when we visit those nursing homes. And my guess is, everybody listening to me will estimate all fatalities are touched by the deaths that have occurred there in one way or another, directly or indirectly.

So I am proud to join Senator CASEY in fighting the Nursing Home COVID–19 Protection and Prevention Act. It would provide $20 billion in emergency funding specifically targeted for protecting those nursing home residents and providing the kind of personal protective equipment, training, and other kinds of resources that are necessary for making sure that the heroes, the frontline workers, have the capacity to do their jobs and the heroes who live in those nursing homes both receive the care and resources they need.

I am also proud to have introduced legislation with Senator BOOKER, the Quality Care for Nursing Home Residents and Workers During COVID–19 Act, which would provide for additional reforms to address the egregious number of nursing home deaths in Connecticut and throughout the country. It would require weekly tests of every resident and testing for every shift for healthcare workers. It would also mandate sufficient PPE and comprehensive safety training around COVID–19, and each facility have a full-time infection-control preventionist on staff to keep residents and workers safe. It would guarantee that sufficient staff is available to facilitate weekly virtual visits between residents and their families. The sense of isolation of many of these nursing home residents is one of the major failings of how they have been treated during this pandemic.

We need to move forward without delay. There is no excuse for spending time debating this issue. We all know that these steps are necessary. There
should be no politics. Nursing homes do not provide care for red or blue residents. They do not employ red or blue frontline workers. This cause should be bipartisan.

Unfortunately, the Republican proposal fails to provide virtually any resources—only nothing like the $20 billion that we are asking. So I hope we will move forward, as reasonable, caring minds and hearts must do, and make sure we provide the resources necessary to do justice to these heroes.

Ms. DUCKWORTH. Mr. President, I am speaking tonight on behalf of the millions of Americans living with disabilities, and on behalf of the many more who, whether they know it or not, are just 1 day, 1 accident, 1 devastating medical diagnosis away from acquiring a disability as well.

I come to the floor on their behalf because I came to the floor by rolling through the Capitol's corridors in the 90s to demand that their country finally give those with disabilities the basic rights the Constitution provided.

That landmark legislation only passed because of the dedicated activists who proudly crowded in front of this building in 1990 to demand that their country finally give those with disabilities the basic rights the Constitution provided.

It only became law because dozens of them got out of their wheelchairs, set down their crutches, and crawled up the 63 steps of the Capitol Building—because Jennifer Keelan, an 8-year-old with cerebral palsy, pulled herself to the top of the steps, saying, “I’ll take all night if I have to,” and because those around her refused to leave a fellow American behind, offering Jennifer support when she needed it, one step, one shoulder to lean on at a time.

Thirty years ago, these activists changed Senators’ hearts, minds, and, most importantly, votes. Thirty years ago, this legislative body said that people like me mattered. But last week, Republicans in this Chamber proposed a bill that said we don’t.

I speak out of a sense of frustration as I watch my Republican colleagues, including the ones who once championed the ADA, attempt to reconstruct, brick by brick, the shameful wall of exclusion that Congress sought to tear down three decades ago.

Less than a week after celebrating the 30th anniversary of a Republican President declaring that the ADA would bring “closer to that day when no Americans will ever again be deprived of their basic guarantee of life, liberty, and the pursuit of happiness,” Senate Republicans have put forward legislation that threatens to deprive our community of those same fundamental rights.

Many interpreted the timing of the HEALS Act as confirmation of an alarming fact—declaring the war on the disability community and the ADA. I truly hope this is not the case and that the timing was a deeply unfortunate coincidence, but at the end of the day, actions speak far louder than words.

If Senate Republicans want to demonstrate that they value life, that they value the civil rights of all Americans, they must join Democrats in supporting two measures that would show the disability community that their party actually gives a darn about them.

First, we need to save lives by preventing mass institutionalization. Placing individuals with disabilities in congregate care facilities, where the risks of severe illness or death are high, is reckless and unacceptable. To achieve this goal, we must increase the Federal Medicaid Assistance Percentages, the FMAP, by 10 percent for Medicaid Home and Community-Based Services.

Republicans and Democratic Governors alike desperately need this change. The House already passed this 10 percent FMAP increase months ago, and the Senate must follow suit in any COVID–19 relief deal that is reached.

Real-world experience has tragically demonstrated how vulnerable congregate care settings are to deadly superspreader events like COVID–19. We know from existing data that Americans with intellectual and developmental disabilities are killed at far higher rates than other Americans when infected with COVID–19. So investing in State efforts to provide Medicaid services to vulnerable populations in the safety of their own homes is just a commonsense policy that would save countless lives.

Second, Senate Republicans must abandon efforts to gut the ADA, once and for all. Disability rights are human rights, and these civil rights must never become optional benefits that can be taken away whenever it is convenient or cheaper for employers or those who are in power. Allowing businesses to exclude employees with disabilities, especially when it is exactly the type of discrimination that the ADA sought to abolish. Yet the GOP HEALS Act seeks to relegate millions of Americans back to second-class status, sending the offensive message that our community can be cast aside as the cost to companies are too high.

But the harsh reality is that these efforts are anything but new. Decades ago, when my friend Judy Heumann passed her exams to earn a teaching license, she was nevertheless denied the license by the school board all because of so-called concerns about legal liability in the workplace.

They said that because Judy used a wheelchair, she represented a fire hazard and could not safely teach in a classroom. Do these types of concerns sound familiar? The passage of the ADA was supposed to relegate such workplace discrimination stories to the history books. Those outrageous examples of injustice were supposed to represent the nightmares of yesterday, not the reality of tomorrow made possible by a Republican proposal today.

Here we are at the 30th anniversary of a Republican President declaring the ADA would bring us “closer to that day when no Americans will ever again be deprived of their basic guarantee of life, liberty, and the pursuit of happiness.” Senate Republicans have put forward legislation that threatens to deprive our community of those same fundamental rights.

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Second, Senate Republicans must abandon efforts to gut the ADA, once and for all. Disability rights are human rights, and these civil rights must never become optional benefits that can be taken away whenever it is convenient or cheaper for employers or those who are in power. Allowing businesses to exclude employees with disabilities, especially when it is exactly the type of discrimination that the ADA sought to abolish. Yet the GOP HEALS Act seeks to relegate millions of Americans back to second-class status, sending the offensive message that our community can be cast aside as the cost to companies are too high.

But the harsh reality is that these efforts are anything but new. Decades ago, when my friend Judy Heumann passed her exams to earn a teaching license, she was nevertheless denied the license by the school board all because of so-called concerns about legal liability in the workplace.

They said that because Judy used a wheelchair, she represented a fire hazard and could not safely teach in a classroom. Do these types of concerns sound familiar? The passage of the ADA was supposed to relegate such workplace discrimination stories to the history books. Those outrageous examples of injustice were supposed to represent the nightmares of yesterday, not the reality of tomorrow made possible by a Republican proposal today.

Here we are at the 30th anniversary of a Republican President declaring the ADA would bring us “closer to that day when no Americans will ever again be deprived of their basic guarantee of life, liberty, and the pursuit of happiness.” Senate Republicans have put forward legislation that threatens to deprive our community of those same fundamental rights.

Many interpreted the timing of the HEALS Act as confirmation of an alarming fact—declaring the war on the disability community and the ADA. I truly hope this is not the case and that the timing was a deeply unfortunate coincidence, but at the end of the day, actions speak far louder than words.

If Senate Republicans want to demonstrate that they value life, that they value the civil rights of all Americans, they must join Democrats in supporting two measures that would show the disability community that their party actually gives a darn about them.

First, we need to save lives by preventing mass institutionalization. Placing individuals with disabilities in congregate care facilities, where the risks of severe illness or death are high, is reckless and unacceptable. To achieve this goal, we must increase the Federal Medicaid Assistance Percentages, the FMAP, by 10 percent for Medicaid Home and Community-Based Services.

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But the harsh reality is that these efforts are anything but new. Decades ago, when my friend Judy Heumann passed her exams to earn a teaching license, she was nevertheless denied the license by the school board all because of so-called concerns about legal liability in the workplace.
Mr. MORAN. Mr. President, I am pleased to be on the floor this evening, but I am here to discuss a significantly tragic issue that affects way too many Americans across our country—certainly at home in Kansas—and that is the lack of treatment for mental health conditions and, in many instances, the consequence that comes from that—suicide.

Sadly, veterans in particular face risks for suicide, and, unfortunately, COVID–19 has increased the problem. Veterans have a higher rate of suicide and mental health issues than people who have not served in our armed services.

We know there is not a single explanation or reason for suicide, and there is no single treatment for prevention strategy. One veteran lost to suicide is one too many, and, of course, we all have the obligation to help those who have served our Nation—that veteran fought bravely for our country—to help fix this tragedy.

Every day that we fail to act is another day we lose another 20 veterans to suicide. They need our help.

I want to highlight one veteran who fought a battle with his mental health condition, CDR John Scott Hannon. Commander Hannon was a decorated Navy SEAL. I met his family through the Senator from Montana, Mr. Tester. He, like every other veteran, was more than just what his service record would show. His family and friends remember him as a passionate mental health advocate for veterans. He tried to help other veterans who faced the same challenges that he did. They say he had a gentle heart and a fierce belief in taking actions to tackle big challenges.

Sadly, Commander Hannon lost his fight with post-traumatic stress, bipolar disorder, and the effects of a traumatic brain injury. He lost that fight in February 2018. He now lives on in the memories of his friends and family, and when S. 785 becomes law—the name-sake of the Commander John Scott Hannon Mental Health Care Improvement Act—he will be remembered even more—more by other Americans than his family and friends.

I am proud to lead this effort in passage of this legislation, in its development, its creation, in the studies and efforts, the conversations that went on with my colleagues in the Senate, our colleagues in the Veterans’ Affairs Committee, the veterans service organizations, and his family. I am proud to lead that effort with the Senator from Montana, Mr. Tester, who represents Commander Hannon’s family.

For several months now, our committee has been working closely with the Department of Veterans Affairs and the White House to improve upon and advance S. 785. This bill will make necessary investments in suicide prevention. It will improve and support innovative research. It will make improvements and help ensure the availability of mental health care.

This bill establishes a grant program championed by Mr. Boozman, the Senator from Arkansas. The VA will be required to better collaborate with community organizations across the country, serving our veterans.

Senator Tester, Senator Boozman, and I come from rural States, and it is hard to find the services where they are necessary. If we can allow the Department of Veterans Affairs to deal with local organizations, we have a better chance of fighting suicide.

This legislation represents a team effort. I appreciate Secretary Wilkie, David Ballenger, Cathy Havercostock, and Chris Anderson for their help and commitment in addressing mental health services.

President Trump and his support for veterans is well recognized. The Second Lady, Karen Pence, has also been a long-time advocate for veterans’ mental health. Her support to dedicate our colloquy and our conversations on this important topic. The staff at the White House and at the Domestic Policy Council—Joe Grogan, Brooke Rollins, James Baehr, and Virginia McMillian—deserve recognition as well.

The Senate VA committee is known for its spirit of bipartisanship, and I want to thank my colleagues on both sides of the aisle for their input on this important legislation. Along with the lead sponsor of this legislation, Senator Tester, and the efforts I mentioned of Senator Boozman, I would recognize Senator Sullivan, Senator Tillis, Senator Cassidy, Senator Rounds, Senator Cramer—the President pro tempore, Senator Loeffler, Senator Blackburn, Senator McSally, and Senator Kaine for their substantive contributions to several primary sections of this bill.

These contributions by our colleagues range from studies on over-medication and suicidality, the effectiveness of hyperbaric oxygen therapy on PTSD and TBI, a pilot program for post-traumatic growth, and many provisions that will provide more direct oversight of the VA to ensure the Department is equipped to better serve veterans.

As a result, this bipartisan legislation has 51 cosponsors, and it received a unanimous 17-to-0 vote in the Senate Committee on Veterans’ Affairs earlier this year, and today is the time we will pass this measure out of the Senate.

I am calling on my colleagues on both sides of the aisle to do our part to make certain that every veteran has access to the lifesaving care and support they need. We need to ensure that every VA medical center is equipped with the proper personnel, evidence-based treatment options, and the best research-informed care to fit the needs of each veteran who walks through its doors.

For veterans and servicemembers like CDR John Scott Hannon, we, in Congress, have the opportunity to take action to help them know they don’t have to struggle alone. Our legislation will help connect these veterans and servicemembers to more resources and provide them with the tools they need to address the challenges related to their service.

To my colleagues, we have a significant role and responsibility to combat this struggle, and here today we can do our part to make certain that, in their struggles, our veterans are equipped with the care and services they need to be successful, to win. We must take real and urgent action to tackle the challenges together.
Sec. 203. Pilot program to provide veterans access to complementary and integrative health services through animal therapy, agritourism, post-traumatic growth therapy, and outdoor sports and recreation therapy.

Sec. 204. Department of Veterans Affairs independent reviews of certain deaths of veterans by suicide and staffing levels of mental health professionals.

Sec. 205. Comptroller General report on management by Department of Veterans Affairs of veterans at high risk for suicide.

**TITLE II—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH**

Sec. 201. Study on connection between living at high altitude and suicide risk factors among veterans.

Sec. 202. Establishment by Department of Veterans Affairs and Department of Defense of a clinical provider treatment toolkit and accompanying training materials for comorbidities.


Sec. 204. Establishment by Department of Veterans Affairs and Department of Defense of clinical practice guidelines for the treatment of serious mental illness.

Sec. 205. Precision medicine initiative of Department of Veterans Affairs to identify and validate brain and mental health biomarkers.

Sec. 206. Statistical analyses and data evaluation by Department of Veterans Affairs.

**TITLE III—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH**

Sec. 301. Study on effectiveness of suicide prevention and mental health outreach programs of Department of Veterans Affairs.

Sec. 302. Expansion telehealth from Department of Veterans Affairs.

Sec. 303. Partnerships with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans and the use of such therapy for treatment of post-traumatic stress disorder and traumatic brain injury.

Sec. 304. Prescription of technical qualifications for licensed hearing aid specialists and requirement for appointment of such specialists.

Sec. 305. Use by Department of Veterans Affairs of commercial institutional review boards in sponsored research trials.

Sec. 306. Creation of Office of Research Reviews within the Office of Information and Technology of the Department of Veterans Affairs.

**TITLE IV—OVERSIGHT OF MENTAL HEALTH CARE AND RELATED SERVICES**

Sec. 401. Study on effectiveness of mental health and suicide prevention media outreach conducted by Department of Veterans Affairs.

Sec. 402. Oversight of mental health and suicide prevention media outreach conducted by Department of Veterans Affairs.

Sec. 403. Comptroller General management review of mental health and suicide prevention services of Department of Veterans Affairs.

Sec. 404. Comptroller General report on efforts of Department of Veterans Affairs to coordinate mental health care into primary care clinics.

Sec. 405. Joint mental health programs by Department of Veterans Affairs and Department of Defense.

**TITLE V—IMPROVEMENT OF MENTAL HEALTH CARE AND RELATED SERVICES**

Sec. 501. Staffing improvement plan for mental health providers of Department of Veterans Affairs.

Sec. 502. Staffing improvement plan for peer specialists of Department of Veterans Affairs who are women.

Sec. 503. Establishment of Department of Veterans Affairs Readjustment Counseling Service Scholarship Program.

Sec. 504. Comptroller General report on Readjustment Counseling Service of Department of Veterans Affairs.

Sec. 505. Expansion of reporting requirements on Readjustment Counseling Service of Department of Veterans Affairs.

Sec. 506. Studies on alternative work schedules for employees of Veterans Health Administration.

Sec. 507. Suicide prevention coordinators.

Sec. 508. Report on efforts by Department of Veterans Affairs to implement safety planning in emergency departments.

**TITLE VI—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS**

Sec. 601. Expansion of capabilities of Women Veterans Center to include text messaging.

Sec. 602. Gap analysis of Department of Veterans Affairs programs that provide assistance to women veterans who are homeless.

Sec. 603. Requirement for Department of Veterans Affairs internet website to provide information on services available to women veterans.

Sec. 604. Report on use by women veterans who are using health care from Department of Veterans Affairs.

**TITLE VII—OTHER MATTERS**

Sec. 701. Expanded telehealth from Department of Veterans Affairs.

Sec. 702. Partnerships with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans and the use of such therapy for treatment of post-traumatic stress disorder and traumatic brain injury.

Sec. 703. Prescription of technical qualifications for licensed hearing aid specialists and requirement for appointment of such specialists.

Sec. 704. Use by Department of Veterans Affairs of commercial institutional review boards in sponsored research trials.

Sec. 705. Creation of Office of Research Reviews within the Office of Information and Technology of the Department of Veterans Affairs.

**CONGRESSIONAL RECORD — SENATE**

August 5, 2020

Sec. 101. Expansion of health care coverage for veterans.

(a) In General.—Section 1710(a)(1) of title 38, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) to any veteran during the one-year period following the discharge or release of the veteran from active military, naval, or air service; and”.

(b) PATIENT ENROLLMENT SYSTEM.—Section 1705(c) of such title is amended by adding at the end the following new paragraph:

“(3) Nothing in this section shall be construed to prevent the Secretary from providing hospital care and medical services to a veteran under section 1760(a)(1) of this title during the period specified in such section notwithstanding the failure of the veteran to enroll in the system of patient enrollment established by the Secretary under subsection (a).

(c) PROMOTION OF EXPANDED ELIGIBILITY.—

(1) TRANSITION ASSISTANCE PROGRAM.—

(A) In General.—The Secretary of Labor, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall promulgate guidelines to members of the Armed Forces transitioning from service in the Armed Forces to civilian life through the Transition Assistance Program the expanded eligibility of veterans for health care under the laws administered by the Secretary of Veterans Affairs pursuant to the amendments made by this section.

(B) TRANSITION ASSISTANCE PROGRAM DEFINED.—In this paragraph, the term “Transition Assistance Program” means—

(1) Transition Assistance Program established by the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

(2) PUBLICATION BY DEPARTMENT OF VETERANS AFFAIRS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish on a website of the Department of Veterans Affairs notification of the expanded eligibility of veterans for health care under the laws administered by the Secretary pursuant to the amendments made by this section.

**SEC. 102. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES WHO DIED BY SUICIDE WITHIN ONE YEAR OF SEPARATION FROM THE ARMED FORCES.**

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly review the records of each former member of the Armed Forces who died by suicide within one year of separation from the Armed Forces during the five-year period preceding the date of the enactment of this Act.

(b) ELEMENTS.—The review required by subsection (a) with respect to a former member of the Armed Forces shall include consideration of the following:

(1) If the Department of Defense had previously identified the former member as being at risk for suicide and if that identification had been communicated to the Department of Veterans Affairs.

(2) What risk factors were present with respect to the former member and how those risk factors correlated to the circumstances of the death of the former member.

(3) If the former member was eligible to receive health care services from the Department of Veterans Affairs.

(4) If the former member received health care services, including mental health care services, from a facility of the Department of Veterans Affairs, including readjustment counseling services, following separation from the Armed Forces.

(5) If the former member had received a mental health waiver during service in the Armed Forces.

(6) The employment status, housing status, marital status, age, rank within the Armed Forces (such as enlisted or officer), and branch of service within the Armed Forces of the former member.

(7) If support services, specified by the type of service (such as employment, mental health, etc.), were provided to the former member during the one-year period of separation from the Armed Forces, disaggregated by—

(A) services furnished by the Department of Defense, including through contracts;

(B) services furnished by the Department of Veterans Affairs, including through contracts; and

(C) services not covered under subparagraph (A) or (B).

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress an aggregated report on the results of the review conducted under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

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

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

**SEC. 103. REPORT ON REACH VET PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the
TITLE II—SUICIDE PREVENTION

SECTION 201. FINANCIAL ASSISTANCE TO CERTAIN ENTITIES TO PROVIDE AND COORDINATE THE PROVISION OF SUICIDE PREVENTION SERVICES FOR ELIGIBLE INDIVIDUALS AND THEIR FAMILIES.

(a) PURPOSE.—The purpose of this section is to reduce veteran suicide through a community-based grant program to award grants to eligible entities to provide suicide prevention services to eligible individuals and their family.

(b) DISTRIBUTION OF FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall provide financial assistance to eligible entities approved under this section through the award of grants each fiscal year to eligible individuals and their family to reduce the risk of suicide.

(2) COORDINATION WITH TASK FORCE.—The Secretary shall carry out this section in coordination with the Secretary’s suicide prevention efforts to empower Veterans and End the National Tragedy of Suicide Task Force, to the extent practicable.

(c) AWARD OF GRANTS.—

(1) BY SECRETARY.—The Secretary shall award a grant to each eligible entity for which the Secretary has approved an application under sub-

(2) GRANT AMOUNTS, INTERVALS OF PAYMENT, AND MATCHING FUNDS.—In accordance with the financial stability of the entity the Secretary may provide an initial grant under this section and the duration of those services, the Secretary shall:

(A) a maximum amount to be awarded under the initial grant shall be greater than $750,000 per grantee per fiscal year;

(B) intervals of payment for the administration of the grant; and

(C) a requirement for the recipient of the grant to provide matching funds in a specified percentage.

(d) DISTRIBUTION OF FINANCIAL ASSISTANCE AND PREFERENCE.—

(1) DISTRIBUTION.—

(A) PRIORITY.—Subject to paragraphs (B) and (C), in distributing the initial grant under this section, the Secretary may prioritize the award of grants in—

(i) rural communities;

(ii) Tribal lands;

(iii) territories of the United States;

(iv) medically underserved areas;

(v) areas with a high number or percentage of minority veterans; and

(vi) areas with a high number or percentage of calls to the Veterans Crisis Line.

(B) AREA OF VETERANS.—The Secretary shall ensure that, to the extent practicable, financial assistance under this section is distributed—

(i) to provide services in areas of the United States, including rural communities of the United States, that have experienced high rates or a high burden of veteran suicide; and

(ii) to eligible entities that can assist eligible individuals at risk of suicide who are not currently receiving health care furnished by the Department of Veterans Affairs.

(C) GEOGRAPHY.—In distributing financial assistance under this section, the Secretary may provide grants to eligible entities that furnish services to eligible individuals in geographically dispersed areas.

(2) PREFERENCE.—

(A) IN GENERAL.—The Secretary shall give preference in the provision of financial assistance under this section to eligible entities that have demonstrated the ability to provide or coordinate multiple suicide prevention services using a collective impact model.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the award of grants under this section only to organizations that provide or coordinate multiple suicide prevention services through a collective impact model.

(e) REQUIREMENTS FOR RECEIPT OF FINANCIAL ASSISTANCE.—

(1) NOTIFICATION THAT SERVICES ARE FROM DEPARTMENT.—Each entity receiving financial assistance under this section to provide suicide prevention services to eligible individuals and their family shall notify the recipients of such services that such services are being paid for, in whole or in part, by the Department.

(2) COORDINATION WITH OTHER SERVICES FROM DEPARTMENT.—An entity receiving a grant under this section shall—

(A) coordinate with the Secretary with respect to the provision of clinical services to eligible individuals in accordance with any other provision of law regarding the delivery of health care under the laws administered by the Secretary;

(B) inform a veteran in receipt of assistance under this section that the eligibility of the veteran to enroll in the patient enrollment system of the Department under section 1705 of title 38, United States Code; and

(C) if such entity wishes to so enroll, inform the veteran of the point of contact at the nearest medical center of the Department who can assist the veteran in such enrollment.

(3) MEASUREMENT AND MONITORING.—Each entity receiving a grant under this section shall submit to the Secretary a description of the tools and assessments the entity uses or will use to determine the effectiveness of the services furnished by the entity under this section, including the effect of those services on

(A) the mental resiliency and mental outlook of eligible individuals; and

(C) the social support of those eligible individuals.

(4) REPORTS.—The Secretary—

(A) shall require each entity receiving financial assistance under this section to submit to the Secretary an annual report that describes the projects carried out with such financial assistance during the period required, including the number of eligible individuals served;

(B) shall specify to each such entity the evaluation criteria and data and information, which shall include a mental health measurement of each eligible individual served, to be submitted in such report; and

(C) may require such entities to submit to the Secretary such additional reports as the Secretary considers appropriate.

(5) APPLICATION FOR FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—An eligible entity seeking financial assistance under this section shall submit to the Secretary an application therefor in such form, in such manner, and containing such commitments and information as the Secretary considers necessary to carry out this section.

(B) MATTERS TO BE INCLUDED.—Each application submitted by an eligible entity under paragraph (1) shall contain the following:

(A) a description of the suicide prevention services the eligible entity proposes to provide to eligible individuals and the identified need for those services;

(B) a detailed plan describing how the eligible entity proposes to coordinate and deliver suicide prevention services (including opportunities for mental wellness and personal growth) to eligible individuals not currently receiving care furnished by the Department, including—

(i) an identification of the community partners, if any, with which the eligible entity proposes to work in delivering such services;

(ii) a description of the arrangements currently in place between the eligible entity and such partners; and

(iii) an identification of how long such arrangements have been in place.

(C) Clearly defined objectives for the provision of suicide prevention services.

(2) MATTERS TO BE INCLUDED.—Each application submitted by an eligible entity under paragraph (1) shall contain the following:

(A) a description of the suicide prevention services the eligible entity proposes to provide directly and a description of any services the eligible entity proposes to deliver through an agreement with a community partner, if any,

(B) a description of the types of eligible individuals at risk of suicide and their family proposed to be provided suicide prevention services;

(C) an estimate of the number of eligible individuals at risk of suicide and their family proposed to be provided suicide prevention services and the basis for such estimate, including the percentage of those individuals who are not currently receiving care furnished by the Department;

(D) the physical address of the primary location of the eligible entity.

(2) A description of the geographic area and boundaries the eligible entity plans to serve during the period for which the application applies.

(3) Evidence of the experience of the eligible entity (and the proposed partners of the entity) in providing suicide prevention services to eligible individuals at risk of suicide and their family.

(4) A description of the managerial and technical capacity of the eligible entity

(i) to coordinate the provision of suicide prevention services with the provision of other services;

(ii) to assess continuously the needs of eligible individuals at risk of suicide and their family for suicide prevention services;
(iii) to coordinate the provision of suicide prevention services with the services of the Department for which the beneficiaries are eligible;

(iv) to continuously seek new sources of assistance to ensure the continuity of suicide prevention services for eligible individuals at risk of suicide and their family as long as the individual is determined to be at risk of suicide; and

(v) to develop and implement a system of the Department under section 1705 of title 5, United States Code.

(K) An agreement to use the measurement tool provided by the Department for purposes of measuring effectiveness of the programming as described in paragraph (2) of subsection (h).

(L) A description of how the eligible entity plans to assess the effectiveness of the provision of suicide prevention services under this section.

(M) Such additional application criteria as the Secretary considers appropriate.

(g) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall provide training and technical assistance to eligible entities in receipt of financial assistance under this section regarding—

(A) the data required to be collected and shared with the Department;

(B) the means of data collection and sharing;

(C) familiarization with and appropriate use of any tool to be used to measure the effectiveness of the use of the financial assistance provided;

(D) the requirements for reporting under subsection (o)(4) on services provided via such financial assistance;

(E) DEVELOPMENT OF MEASURES AND METRICS.—The Secretary shall develop, in consultation with entities specified in paragraph (3), the following:

(A) A framework for collecting and sharing information about entities in receipt of financial assistance under this section for purposes of improving the discovery of services available for eligible individuals at risk of suicide and their family, set forth by service type, locality, and eligibility criteria.

(B) The measures to be used by each entity in receipt of financial assistance under this section to determine the effectiveness of the programming being provided by such entity in improving mental resiliency and mental outlook of eligible individuals at risk of suicide and their family.

(C) Metrics for measuring the effectiveness of the provision of financial assistance under this section, including reducing suicide risk among eligible individuals.

(3) COORDINATION.—In developing a plan for the design and implementation of the provision of financial assistance under this section, including the award of grants, the Secretary shall consult with the following:

(A) Veterans service organizations.

(B) National organizations representing potential community partners of eligible entities in providing supportive services to address the needs of eligible individuals at risk of suicide and their family, including national organizations to—

(i) advocate for the needs of individuals with or at risk of behavioral health conditions;

(ii) represent mayors;

(iii) represent first responders;

(iv) represent chiefs of police and sheriffs;

(v) represent governors;

(vi) represent a territory of the United States; or

(vii) represent a Tribal alliance.

(C) National organizations that represent counties.

(D) Organizations with which the Department has a current memorandum of agreement or understanding related to mental health or suicide prevention.

(E) State departments of veterans affairs.

(F) National organizations representing members of the reserve components of the Armed Forces.

(G) Vet Centers.

(H) Organizations, including institutions of higher education, with experience in creating measurement tools for purposes of determining programmatic effectiveness.

(2) PROVISION OF TRAINING AND TECHNICAL ASSISTANCE.—The Secretary may provide the training and technical assistance described in paragraph (1) directly or through grants or contracts with other eligible or nonprofit entities.

(h) ADMINISTRATION OF GRANT PROGRAM.—

(1) SELECTION CRITERIA.—The Secretary, in consultation with entities specified in paragraph (3), shall establish criteria for the selection of eligible entities that have submitted applications under subsection (f).

(2) DEVELOPMENT OF MEASURES AND METRICS.—The Secretary shall develop, in consultation with entities specified in paragraph (3), the following:

(A) A framework for the sharing of information about entities in receipt of financial assistance under this section; and

(B) a method by which the Secretary determines financial responsibility for purposes of paragraph (3) of subsection (m).

(i) INFORMATION ON POTENTIAL BENEFICIARIES.—

(1) IN GENERAL.—The Secretary may make available to recipients of financial assistance under this section certain information regarding potential beneficiaries of services for which such financial assistance is provided.

(2) INFORMATION PROVIDED TO THE MEASURE OF EFFECTIVENESS.—The information made available under paragraph (1) with respect to potential beneficiaries may include the following:

(A) Information of the status of a potential beneficiary as a veteran.

(B) Confirmation of whether the potential beneficiary is enrolled in the patient enrollment system of the Department under section 1705 of title 38, United States Code.

(C) Confirmation of whether a potential beneficiary is currently receiving care furnished by the Department or has recently received such care.

(3) OPT-OUT.—The Secretary shall allow an eligible individual to opt out of having their information included in this section with respect to recipients of financial assistance under this section.

(2) DURATION.—The authority of the Secretary to provide financial assistance under this section shall terminate on the date that is three years after the date on which the first grant is awarded under this section.

(3) ASSESSMENT.—

(1) INTERIM REPORT.—

(A) IN GENERAL.—The Secretary shall submit to the appropriate committees of Congress a report containing—

(i) An assessment of the effectiveness of the provision of financial assistance under this section, including—

(I) the effectiveness of community partners in conducting outreach to eligible individuals at risk of suicide and their family and reducing suicide rates for eligible individuals; and

(II) the effectiveness of the measures and metrics developed under paragraph (2) at improving coordination of suicide prevention services.

(ii) A list of grant recipients and their partner organizations that delivered services funded by the grant and the amount of such grant received by each recipient and partner organization.

(iii) An assessment of the effectiveness of the provision of financial assistance under this section, including the factors that contribute to suicide through the provision of services by eligible entities located in the communities where the eligible individuals receiving those services live.

(B) ASSESSMENT.—

(i) IN GENERAL.—The contract under subparagraph (A) shall require that not later than two
(A) collectively provides multiple suicide prevention services; 

(B) shares the common goal of reducing the risk of suicide among eligible individuals; 

(C) engages in continuous communication; and 

(D) engages in continuous communication; and

and includes an organization that acts as the supporting infrastructure of the model by creating a structured process for—

(i) strategic planning; 

(ii) project management; and 

(iii) supporting partner entities through ongoing—

(I) facilitation; 

(II) technology and communications support; 

(III) data collection and reporting; and 

(IV) administrative support.

(3) ELIGIBLE ENTITY.—The term "eligible entity" means—

(A) a federal, state, or local government agency with experience optimizing the delivery of mental health and/or suicide prevention services; 

(B) a corporation wholly owned and controlled by an eligible entity operating by the Department, to a medical facility of the Department, or a Vet Center; or 

(C) a tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)); 

(D) a community-based organization—

(i) that is physically based in the targeted community; 

(ii) that can effectively network with local civic organizations, regional health systems, and other settings where eligible individuals at risk of suicide and their family are likely to have contact; and 

(iii) that is approved by the Secretary as to financial responsibility; or 

(F) a State or local government that is approved by the Secretary as to financial responsibility.

(4) ELIGIBLE INDIVIDUAL.—The term "eligible individual" means—

(A) a veteran, as defined in section 101 of title 38, United States Code; 

(B) an eligible individual described in section 17201(b) of such title; 

(C) an individual described in any of clauses (i) through (iv) of section 1712A(a)(1)(C) of such title; or 

(D) such other individual as the Secretary considers appropriate.

(5) EMERGENCY MEDICAL CONDITION DEFINED.—The term "emergency medical condition" means a medical or behavioral condition manifesting itself by acute symptoms of sufficient severity, including acute pain, that could reasonably be expected to result in—

(A) placing the health of the individual in serious jeopardy; 

(B) serious impairment to bodily functions; or 

(C) serious dysfunction of bodily organs.

(6) FAMILY.—The term "family" means, with respect to an eligible individual at risk of suicide, any of the following:

(A) a parent; 

(B) a spouse; 

(C) a child; 

(D) a sibling; 

(E) a step-family member; 

(F) an extended family member; 

(G) any other individual who lives with the eligible individual.

(7) NECESSARY STABILIZING TREATMENT DEFINED.—The term "necessary stabilizing treatment" means, with respect to an emergency medical condition, to provide, for not greater than 72 hours, such medical treatment for the condition necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the individual from a facility.

(8) PEER SPECIALIST.—The term "peer specialist" means a person eligible to be appointed as a peer specialist under section 7402(b)(13) of title 38, United States Code.

(9) RISK OF SUICIDE.—The term "risk of suicide" means exposure to or the existence of any of the following:

(A) Health risk factors, including the following—

(i) Mental health challenges. 

(ii) Substance abuse. 

(iii) Serious or chronic health conditions or pain. 

(iv) Traumatic brain injury. 

(B) Environmental risk factors, including the following—

(i) Access to lethal means (such as drugs, firearms, etc.). 

(ii) Prolonged stress. 

(iii) Stressful life events. 

(iv) Exposure to the suicide of another person or to graphic or sensationalized accounts of suicide. 

(v) Unemployment. 

(vi) Homelessness. 

(vii) Recent loss. 

(viii) Legal or financial challenges.

(C) Historical risk factors, including the following—

(i) Previous suicide attempts. 

(ii) Family history of suicide. 

(iii) History of abuse, neglect, or trauma. 

(D) Rural.—With respect to a rural area, the term "rural" has the meaning given that term in the Rural-Urban Commuting Areas code system of the Department of Agriculture.

(E) STATE.—The term "State" means each of the several States, the District of Columbia, the Northern Mariana Islands, American Samoa, Guam, Puerto Rico, and the United States Virgin Islands.

(2) SUICIDE PREVENTION SERVICES.—In general. The term "suicide prevention services" means services to address the needs of eligible individuals at risk of suicide and their family and includes the following:

(A) Initial efforts to identify eligible individuals at risk of suicide, with an emphasis on eligible individuals who are at highest risk or who are not receiving health care or other services furnished by the Department. 

(B) A baseline mental health assessment for risk screening and referral to care at—

(I) a medical facility of the Department; 

(II) a Vet Center; or 

(III) a non-Department facility if the eligible individual refuses to or is ineligible for care from the Department or a Vet Center. 

(C) Education on suicide risk and prevention to families and communities. 

(D) Individual and group therapy. 

(E) Case management services. 

(F) Peer support services provided by peer specialists.

(G) Assistance in obtaining any benefit from the Department that the eligible individual at risk of suicide or their family may be eligible to receive, including—

(I) vocational and rehabilitation counseling; 

(II) supportive services for homeless veterans; 

(III) employment and training services; 

(IV) educational assistance; and 

(V) health care services. 

(H) Assistance in obtaining and coordinating the provision of other benefits provided by the Federal Government, a State or local government, or an eligible entity. 

(I) The provision of emergency mental health treatment to an eligible individual, which may include—

(I) assessing the eligible individual for immediate suicide risk; 

(II) connecting the eligible individual to the Veterans Crisis Line; and 

(III) the case of an eligible individual who is experiencing an emergency mental health condition—

(aa) paying for the provision of necessary stabilizing treatment provided in a hospital or other medical facility; and 

(bb) transporting the individual—

(aa) daily living services; 

(bb) personal financial planning; 

(cc) transportation services; 

(dd) legal services to the eligible individual with issues that may contribute to risk of suicide; and
(ee) child care (not to exceed $5,000 per family of the eligible individual per fiscal year);
(H) adaptive sports, equine assisted therapy, or in-place or outdoor recreational therapy;
(I) substance reduction programs;
(IV) individual, group, or family counseling; and
(V) relationship coaching.

(B) EXCLUSION.—The term “suicide prevention services” does not include direct cash assistance to eligible individuals or their family.

(13) VETERAN.—The term “Vet Center” has the meaning given that term in section 1721A(h)(1) of title 38, United States Code.

(14) VETERANS CRISIS LINE.—The term “Veterans Crisis Line” means the toll-free hotline for veterans established under section 1720f(b) of such title.

(15) VETERANS SERVICE ORGANIZATION.—The term “veterans service organization” means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans included as part of the annually updated list at https://www.va.gov/vso/a or a successor website.

SEC. 202. STUDY ON FEASIBILITY AND ADVISABILITY OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING CERTAIN COMPLEMENTARY AND INTEGRATIVE HEALTH SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete a study on the feasibility and advisability of providing complementary and integrative health treatments described in subsection (c) at all medical facilities of the Department of Veterans Affairs.

(b) INCLUSION OF ASSESSMENT OF REPORT.—The study conducted under subsection (a) shall include an assessment of the final report of the Creating Options for Veterans’ Expedited Recovery Evaluation Commission (commonly referred to as the “COVER Commission”) established under section 931 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114-198; 38 U.S.C. 1701 note).

(c) TREATMENTS DESCRIBED.—Complementary and integrative health treatments described in this subsection shall consist of the following:

(1) Equine therapy.
(2) Other animal therapy.
(3) Art therapy.
(4) Post-traumatic growth therapy.
(5) Outdoor sports and recreation therapy.

(c) ELIGIBLE VETERANS.—A veteran is eligible to participate in the pilot program under this section if the veteran—

(i) Enrolled in the system of patient enrollment of the Department under section 1705(a) of title 38, United States Code; and

(ii) Has received, under the laws administered by the Secretary during the two-year period preceding the initial participation of the veteran in the pilot program.

(d) DURATION.—

(I) IN GENERAL.—The Secretary shall carry out the pilot program under this section for a three-year period beginning on the commencement of the pilot program.

(II) EXTENSION.—The Secretary may extend the duration of the pilot program under this section if the Secretary, based on the results of the interim report submitted under subsection (f)(1), determines that it is appropriate to do so.

(e) LOCATIONS.—

(I) IN GENERAL.—The Secretary shall select not fewer than three facilities of the Department at which to carry out the pilot program under this section.

(II) SELECTION CRITERIA.—In selecting facilities under paragraph (I), the Secretary shall ensure that—

(A) the locations are in geographically diverse areas; and

(B) not fewer than three facilities serve veterans in rural or highly rural areas (as determined through the use of the Rural-Urban Commuting Areas coding system of the Department of Agriculture).

(f) RESEARCH ON EFFECTIVENESS OF TREATMENTS.

(I) IN GENERAL.—The Secretary shall carry out the pilot program in conjunction with academic researchers affiliated with the Department of Veterans Affairs, including through agreements under paragraph (2), in order for those researchers to research the effectiveness of the treatments described in subsection (c).

(II) AGREEMENTS.—Before commencing the pilot program, the Secretary shall seek to enter into agreements with academic researchers to ensure robust data collection and gathering procedures are in place under the pilot program in order to produce peer-reviewed journal articles.

(g) REPORTS.—

(I) INTERIM REPORT.—

(A) IN GENERAL.—Not later than one year after the commencement of the pilot program under this section, the Secretary shall submit a report on the study conducted under subsection (a), including—

(I) the results of such study; and

(II) such recommendations regarding the furnishing of complementary and integrative health treatments described in subsection (c) as the Secretary considers appropriate.

(II) FINAL REPORT.—Not later than 90 days after the termination of the pilot program under this section, 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 final report on the pilot program.

SEC. 204. DEPARTMENT OF VETERANS AFFAIRS INDEPENDENT REVIEWS OF CERTAIN DEATHS OF VETERANS BY SUICIDE AND MENTAL HEALTH PROFESSIONALS.

(a) REVIEW OF DEATHS OF VETERANS BY SUICIDE.

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall seek to enter into an agreement with the Centers for Disease Control and Prevention to conduct an independent review of the deaths of all covered veterans who died by suicide during the five-year period ending on the date of the enactment of this Act, regardless of whether information relating to such deaths has been reported by the Centers for Disease Control and Prevention.

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

(A) The total number of covered veterans who died by suicide during the five-year period ending on the date of the enactment of this Act.

(B) The total number of covered veterans who died by a violent death during such five-year period.

(C) The total number of covered veterans who died by an accidental death during such five-year period.

(D) A description of each covered veteran described in subparagraphs (A) through (C), including age, gender, race, and ethnicity.

(E) A comprehensive list of prescribed medications and legal or illegal substances as annotated on toxicology reports of covered veterans described in subparagraphs (A) through (C), specifically listing any medications that carried a black box warning, were prescribed for off-label use, were psychoactive, or had any contraindications that included suicidal ideation.

(F) A summary of medical diagnoses by physicians of the Department of Veterans Affairs or other providers to covered veterans through programs of the Department that led to the prescribing of medications referenced in subparagraph (E) in cases of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other anxiety and depressive disorders.

(G) The number of instances in which a covered veteran described in subparagraphs (A) through (C) was concurrently on multiple medications prescribed by physicians of the Department or physicians providing services to veterans through programs of the Department for the treatment of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, other anxiety and depressive disorders, or instances of comorbidity.

(H) The number of covered veterans described in subparagraphs (A) through (C) who were not taking any medication prescribed by a physician of the Department or other provider providing services to veterans through a program of the Department.

(I) With respect to the treatment of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, or other anxiety and depressive disorders, the percentage of covered veterans described in subparagraphs (A) through (C) who received a non-medication first-line treatment compared to the percentage of such veterans who received medication only.

(J) With respect to the treatment of covered veterans described in subparagraphs (A) through (C) for post-traumatic stress disorder, traumatic brain injury, military sexual trauma, or other anxiety and depressive disorders, the percentage of covered veterans described in subparagraphs (A) through (C) who received a non-medication first-line treatment (such as cognitive behavioral therapy) was attempted and determined to be
ineffective for such a veteran, which subsequently led to the prescribing of a medication referred to in subparagraph (E).

(K) A description and example of how the Department continually updates the clinical practice guidelines governing the prescribing of medications.

(L) The percentage of death certificates of veterans described in subparagraphs (A) through (C) of such subsection, data regarding veterans described in subparagraphs (A) through (C) of such subsection, and any impediments to such participation.

(M) The percentage of covered veterans described in subparagraphs (A) through (C) of such subsection, data regarding veterans described in subparagraphs (A) through (C) of such subsection, and any impediments to such participation.

(N) An identification and determination of the medical facilities of the Department with markedly high prescription rates and suicide rates for veterans receiving treatment at those facilities.

(O) An analysis, by State, of programs of the Department that collaborate with State Medicaid agencies and the Centers for Medicare and Medicaid Services in monitoring the following:

(i) An analysis of the sharing of prescription and behavioral health data for veterans.

(ii) An analysis of whether Department staff check for duplicate drug monitoring programs before prescribing medications to veterans.

(iii) A description of the procedures of the Department for coordinating with prescribers outside of the Department to ensure that veterans are not overprescribed.

(iv) A description of actions that the Department takes when a veteran is determined to be overprescribed.

(P) An analysis of the challenges associated with the implementation of mental health counselors and marriage and family therapists of the Department and a description of actions taken by the Secretary to ensure that the national, regional, and local professional boards or certification councils for mental health counselors and marriage and family therapists are comprised of only mental health counselors and marriage and family therapists, and such boards are health professions of the Department.

(Q) An analysis of the use by the Department, and a description of actions taken by the Secretary to manage veterans at high risk for suicide.

(R) A description of how the Department monitors patients who have been identified as high risk, including an assessment of the efficacy of such interventions disaggregated by age, gender, Veterans Integrated Service Network, and, to the extent practicable, medical center of the Department.

(S) An assessment of such other areas as the Comptroller General considers appropriate to study.

TITLE III—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH AND BEHAVIORAL HEALTH PROFESSIONALS

SEC. 301. STUDY ON THE EFFECT OF HIGH ALTITUDE AND SUICIDE RISK FACTORS AMONG VETERANS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Comptroller General, 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 connection between living at high altitudes and suicide risk among veterans.

(b) Completion of Study.—The study conducted under subsection (a) shall be completed not later than three years after the date of the commencement of the study.

(c) Individual Impact.—The study conducted under subsection (a) shall be completed to determine the effect of high altitude on suicide risk at the individual level, not at the State or county level.

(d) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Rural Health Resource Centers of the Office of Rural Health of the Department of Veterans Affairs, shall commence the conduct of a study on the connection between living high altitude and suicide risk among veterans.
(e) FOLLOW-UP STUDY.—

(1) IN GENERAL.—If the Secretary determines through the study conducted under subsection (a) that living at high altitude is a risk factor for developing depression or dying by suicide, the Secretary shall conduct an additional study to identify the following:

(A) The most likely biological mechanism that makes living at high altitude a risk factor for developing depression or dying by suicide.

(B) The most effective treatment or intervention for reducing the risk of developing depression or dying by suicide.

(2) REPORT.—Not later than 150 days after completing the study conducted under paragraph (1), 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 results of the study.

SEC. 302. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF A CLINICAL PROVIDER TREATMENT TOOLKIT AND ACCOMPANYING TRAINING MATERIALS FOR COMORBIDITIES.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop a clinical provider treatment toolkit and accompanying training materials for the evidence-based management of comorbid mental health conditions that substantially interfere with major life activities as the Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the toolkit and training materials include guidance with respect to the following:

(1) The treatment of patients with post-traumatic stress disorder who are also experiencing an additional mental health condition, a substance use disorder, or a comorbid mental health condition and chronic pain.

(b) MATTERS INCLUDED.—In developing the clinical provider treatment toolkit and accompanying training materials under subsection (a), the Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the toolkit and training materials include guidance with respect to:

(1) A mental health condition, including post-traumatic stress disorder, anxiety, depression, or bipolar disorder.

(2) Substance use disorder; or

(3) Chronic pain.

SEC. 303. UPDATE OF CLINICAL PRACTICE GUIDELINES FOR ASSESSMENT AND MANAGEMENT OF PATIENTS AT RISK FOR SUICIDE.

(a) IN GENERAL.—In the first publication of the Department of Veterans Affairs and Department of Defense Clinical Practice Guideline for Assessment and Management of Patients at Risk for Suicide published after the date of enactment, the Secretary of Veterans Affairs and the Secretary of Defense, through the Assessment and Management of Patients at Risk for Suicide Work Group (in this section referred to as the "Work Group"), shall ensure the publication includes the following:

(1) Enhanced guidance with respect to the following:

(A) Gender-specific risk factors for suicide and suicidal ideation.

(B) Gender-specific treatment efficacy for depression and suicide prevention.

(C) Gender-specific psychopharmacotherapy efficacy.

(D) Gender-specific psychotherapy efficacy.

(2) Guidance with respect to the efficacy of alternative therapies, other than psychotherapy and psychopharmacotherapy, including the following:

(A) Yoga therapy.

(B) Meditation therapy.

C) Equine therapy.

(D) Other animal therapy.

(E) Training and caring for service dogs.

(F) Aromatherapy.

(G) Aromatherapy.

(H) Outdoor sports therapy.

(I) Music therapy.

(J) Any other alternative therapy that the Work Group considers appropriate.

(3) Guidance with respect to the findings of the Creating Options for Veterans' Expedited Recovery (COVER) Commission (commonly referred to as the "COVER Commission") established under section 531 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198; 38 U.S.C. 1761).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the Secretary of Veterans Affairs and the Secretary of Defense from developing all relevant evidence, as appropriate, in developing the Department of Veterans Affairs and Department of Defense Clinical Practice Guideline for Assessment and Management of Patients at Risk for Suicide, as required under subsection (a), or from ensuring that the final clinical practice guidelines updated under such subsection remain applicable to the patient populations of the Department of Veterans Affairs and the Department of Defense.

SEC. 304. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF CLINICAL PRACTICE GUIDELINES FOR THE TREATMENT OF SERIOUS MENTAL ILLNESS.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall complete the development of a clinical practice guideline or guidelines for the treatment of serious mental illness, to include the following conditions:

(1) Schizophrenia.

(2) Schizoaffective disorder.

(3) Persistent mood disorder, including bipolar disorder I and II.

(4) Any other mental, behavioral, or emotional disorder resulting in serious functional impairment that substantially interferes with major life activities as the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, considers appropriate.

(b) MATTERS INCLUDED IN GUIDELINES.—The clinical practice guideline or guidelines developed under subsection (a) shall include the following:

(1) Guidance contained in the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders of the Department of Veterans Affairs and the Department of Defense.

(2) Guidance with respect to the treatment of patients with a condition described in subsection (a).

(3) A list of evidence-based therapies for the treatment of conditions described in subsection (a).

(4) An appropriate guideline for the administration of pharmacological therapy, psychological or behavioral therapy, or other therapy for the management of conditions described in subsection (a).

(c) ASSESSMENT OF EXISTING GUIDELINES.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall complete an assessment of the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders to determine whether an update to such guidelines is necessary.

(d) WORK GROUP.—

(1) ESTABLISHMENT.—The Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Health and Human Services shall create a work group to develop the clinical practice guideline or guidelines under subsection (a) to be known as the "Serious Mental Illness Work Group" (in this subsection referred to as the "Work Group").

(2) MEMBERSHIP.—The Work Group created under paragraph (1) shall be comprised of individuals that represent Federal Government entities and non-Federal Government entities with expertise in the areas covered by the Work Group, including the following entities:

(A) Academic institutions that specialize in research for the treatment of conditions described in subsection (a).

(B) The Health Services Research and Development Service of the Department of Veterans Affairs.

(C) The Office of the Assistant Secretary for Mental Health and Substance Use of the Department of Defense.

(D) The National Institute of Mental Health.

(E) The Department of Defense.

(F) Relevant organizations with expertise in research, diagnosing, or treating conditions described in subsection (a).

(c) RELATION TO OTHER WORK GROUPS.—The Work Group shall be created and conducted in the same manner as other work groups for the development of clinical practice guidelines for the Department of Veterans Affairs and the Department of Defense.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the Secretary of Veterans Affairs and the Secretary of Defense from considering all relevant evidence, as appropriate, in creating the clinical practice guideline or guidelines required under subsection (a) or from ensuring that the final clinical practice guideline or guidelines developed under such subsection and subsequently updated as appropriate remain applicable to the patient populations of the Department of Veterans Affairs and the Department of Defense.

SEC. 305. PRECISION MEDICINE INITIATIVE OF DEPARTMENT OF VETERANS AFFAIRS TO IDENTIFY AND VALIDATE BRAIN AND MENTAL HEALTH BIOMARKERS.

(a) IN GENERAL.—Beginning not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement an initiative of the Department of Veterans Affairs to identify and validate brain and mental health biomarkers among veterans, with specific consideration for depression, anxiety, post-traumatic stress disorder, bipolar disorder, traumatic brain injury, and such other mental health conditions as the Secretary considers appropriate. Such initiative may be referred to as the "Precision Medicine for Veterans Initiative".

(b) MODEL OF INITIATIVE.—The initiative under subsection (a) shall be modeled on the All of Us Precision Medicine Initiative administered by the National Institutes of Health with respect to large-scale collection of standardized data and open data sharing.

(c) USE OF DATA.—

(1) PRIVACY AND SECURITY.—In carrying out the initiative under subsection (a), the Secretary shall develop robust data privacy and security measures to ensure that information of veterans participating in the initiative is kept private and secure.

(2) OPEN PLATFORM.—

(A) RESEARCH PURPOSES.—

(i) IN GENERAL.—The Secretary shall make de-identified, data collected under this initiative available for research purposes both within and outside of the Department of Veterans Affairs.

(ii) RESEARCH.—The Secretary shall assist the National Institutes of Health and the Department of Energy in the use by the National Institutes of Health or the Department of Energy of data collected under the initiative for research purposes under clause (i).

(B) DATA MAY NOT BE SOLD.—Data collected under the initiative may not be sold.
(3) STANDARDIZATION.—
(A) IN GENERAL.—The Secretary shall ensure that data collected under the initiative is standardized.

(C) MEASURES OF BRAIN FUNCTION OR STRUCTURE.—Data collected under the initiative shall be standardized in the manner in which it is collected, entered into the database, extracted, and recorded.

(4) MANNER OF STANDARDIZATION.—Data collected under the initiative shall be standardized in the way of standardizing data collected under the initiative.

(5) REPRESENTATION.—Each focus group convened under paragraph (1) shall, to the extent practicable, include veterans of diverse backgrounds, including—
(A) veterans of all eras, as determined by the Secretary;
(B) women veterans;
(C) minority veterans;
(D) Native American veterans, as defined in section 3765 of title 38, United States Code;
(E) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as “LGBTQ”);
(F) veterans who live in rural or highly rural areas; and
(G) individuals transitioning from active duty in the Armed Forces to civilian life.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 38, United States Code, is amended by adding at the end the following new section:

**§ 119. Contracting for statistical analyses and data evaluation**

(a) IN GENERAL.—The Secretary may enter into a contract or other agreement with an academic institution or other qualified entity, as determined by the Secretary, to conduct statistical analyses and data evaluation of the data collected under the initiative.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary to enter into contracts or other agreements for statistical analyses and data evaluation under any other provision of law.

(c) REPORT.—
(1) IN GENERAL.—Not later than 90 days after the last focus group meeting under subsection (b), 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 findings of the focus groups.

(d) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The findings of the focus groups, an assessment of the effectiveness of current suicide prevention and mental health outreach efforts of the Department in reaching veterans as a whole as well as specific groups of veterans (for example, women veterans); and
(B) The findings of the focus groups, recommendations for future suicide prevention and mental health outreach efforts by the Department to specific groups of veterans.

(D) Such other issues as the Secretary considers necessary.

(d) REPRESENTATIVE SURVEY.—
(1) IN GENERAL.—Not later than one year after the last focus group meeting under subsection (b), the Secretary shall complete a representative survey of the veteran population that is informed by the focus group data in order to collect information about the effectiveness of the mental health and suicide prevention outreach campaigns conducted by the Department.

(2) VETERANS SURVEYED.—(A) In general—Veterans surveyed under paragraph (1) shall include veterans described in subsection (b)(5).

(B) DESCRIPTION OF DATA.—Data of veterans surveyed under paragraph (1) shall be disaggregated by—
(i) veterans who have received care from the Department during the two-year period preceding the survey; and
(ii) veterans who have not received care from the Department during the two-year period preceding the survey.

(e) TREATMENT OF CONTRACTS FOR SUICIDE PREVENTION AND MENTAL HEALTH OUTREACH MEDIA.—

(I) FOCUS GROUPS.—

(A) IN GENERAL.—The Secretary shall include in each contract to develop media relating to suicide prevention and mental health outreach a requirement that the contractor convene focus groups of veterans to assess the effectiveness of suicide prevention and mental health outreach.

(B) REPRESENTATION.—Each focus group required under subparagraph (A) shall, to the extent practicable, include veterans of diverse backgrounds, including—
(i) veterans of all eras, as determined by the Secretary;
(ii) women veterans;
(iii) minority veterans;
(iv) Native American veterans, as defined in section 3765 of title 38, United States Code;
(v) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as “LGBTQ”); and
(vi) veterans who live in rural or highly rural areas; and
(vii) individuals transitioning from active duty in the Armed Forces to civilian life.

(ii) Effect of reduction. Not more than two percent of the budget of the Office of Mental Health and Suicide Prevention of the Department for contractors for suicide prevention and mental health media outreach shall go to subcontractors described in subparagraph (A).

(j) RURAL AND HIGHLY RURAL DEFINED.—In this section, with respect to an area, the term ‘‘rural’’ and ‘‘highly rural’’ have the meanings given those terms in the Rural-Urban Commuting Areas coding system of the Department of Agriculture.

SEC. 402. OVERSIGHT OF MENTAL HEALTH AND SUICIDE PREVENTION MEDIA OUTREACH CONDUCTED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF GOALS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish goals for the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, which shall include the establishment of targets, metrics, and action plans to describe and achieve those goals.

(b) USE OF METRICS.—

(A) IN GENERAL.—The goals established under paragraph (1) shall be measured by metrics specific to different media types.

(B) FACTORS TO CONSIDER.—In using metrics under subparagraph (A), the Secretary shall determine the best methodological approach for each media type and shall consider the following:

(i) Metrics relating to social media, which may include the following:

(I) Impressions.

(II) Reach.

(III) Engagement rate

(iv) Such other metrics as the Secretary considers necessary.

(ii) Metrics relating to television, which may include the following:

(I) Nielsen ratings.

(II) Such other metrics as the Secretary considers necessary.

(iii) Metrics relating to email, which may include the following:

(I) Open rate.

(II) Response rate.

(III) Click rate.

(iv) Such other metrics as the Secretary considers necessary.

(C) UPDATE.—The Secretary shall periodically update the metrics under subparagraph (B) as more accurate metrics become available.

(3) TARGETS.—The Secretary shall establish targets to track the metrics used under paragraph (2).

(4) CONSULTATION.—In establishing goals under paragraph (1), the Secretary shall consult with the following:

(A) Relevant stakeholders, such as organizations that represent veterans, as determined by the Secretary.

(B) Mental health and suicide prevention experts.

(C) Such other persons as the Secretary considers appropriate.

(5) INITIAL REPORT.—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 detailing the goals established under paragraph (1) for the mental health and suicide prevention media outreach campaigns of veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as “LGBTQ”); and veterans who live in rural or highly rural areas; and

(vii) individuals transitioning from active duty in the Armed Forces to civilian life.
the Department, including the metrics and targets for such metrics by which those goals are to be measured under paragraphs (2) and (3).

(6) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, 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 detailing—

(A) the progress of the Department in meeting the goals established under paragraph (1) and the targets established under paragraphs (2) and (3); and

(B) a description of action to be taken by the Department to modify mental health and suicide prevention media outreach campaigns if those goals and targets are not being met.

(b) REPORT ON USE OF FUNDS BY OFFICE OF MENTAL HEALTH AND SUICIDE PREVENTION.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report containing the expenditures and obligations of the Office of Mental Health and Suicide Prevention of the Veterans Health Administration during the period covered by the report.

SEC. 403. COMPTROLLER GENERAL MANAGEMENT REVIEW OF MENTAL HEALTH AND SUICIDE PREVENTION SERVICES OF DEPARTMENT OF VETERANS AFFAIRS.

(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 submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a management review of the Department of Veterans Affairs.

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

(I) An assessment of the infrastructure under the control of or available to the Office of Mental Health and Suicide Prevention of the Department of Veterans Affairs or available to the Department of Veterans Affairs for suicide prevention efforts not operated by the Office of Mental Health and Suicide Prevention.

(2) A description of the management and organizational structure of the Office of Mental Health and Suicide Prevention, including roles and responsibilities at each position.

(3) A description of the operational policies and processes of the Office of Mental Health and Suicide Prevention.

(4) An assessment of suicide prevention practices and initiatives available from the Department and through community partnerships.

(5) An assessment of the staffing levels at the Office of Mental Health and Suicide Prevention, including the location of staffing deficiencies.

(6) An assessment of the Nurse Advice Line pilot program conducted by the Department.

(7) An assessment of recruitment initiatives in rural areas for mental health professionals of the Department.

(8) An assessment of strategic planning conducted by the Office of Mental Health and Suicide Prevention.

(9) An assessment of the communication, and the effectiveness of such communication—

(A) within the central office of the Office of Mental Health and Suicide Prevention;

(B) to the field office and any staff member or office in the field, including chaplains, attorneys, law enforcement personnel, and volunteers; and

(C) between the central office, local facilities of the Department, and community partners of the Department, including first responders, community support groups, and health care industry partners.

(10) An assessment of how effectively the Office of Mental Health and Suicide Prevention implements operational policies and procedures.

(11) An assessment of how the Department of Veterans Affairs and the Department of Defense coordinate suicide prevention efforts, and recommendations to the Committee on Veterans' Affairs and Department of Defense can more effectively coordinate those efforts.

(12) An assessment of such other areas as the Comptroller General considers appropriate to study.

SEC. 404. COMPTROLLER GENERAL REPORT ON EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS TO INTEGRATE MENTAL HEALTH CARE INTO PRIMARY CARE CLINICS.

(a) INITIAL REPORT.

(I) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States 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 efforts of the Department of Veterans Affairs to integrate mental health care into primary care clinics of the Department.

(2) ELEMENTS.—The report required by subsection (a) shall include—

(A) An assessment of the efforts of the Department to integrate mental health care into primary care clinics of the Department.

(B) An assessment of the effectiveness of such efforts.

(C) An assessment of how the health care of veterans is impacted by such integration.

(D) A description of how care is coordinated by the Department between specialty mental health care and primary care, including a description of the following:

(i) How care is coordinated.

(ii) How care is coordinated.

(iii) How a veteran is reintegrated into primary care after receiving in-patient mental health care.

(E) An assessment of how the integration of mental health care into primary care clinics is implemented at different types of facilities of the Department.

(F) Such recommendations on how the Department can better integrate mental health care into primary care clinics as the Comptroller General considers appropriate.

(G) An assessment of such other areas as the Comptroller General considers appropriate to study.

(b) COMMUNITY CARE INFORMATION REPORT.—

(I) IN GENERAL.—Not later than two years after the date on which the Comptroller General conducts the review under subsection (a)(1), the Comptroller General 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 efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

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

(A) An assessment of the efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

(B) An assessment of the effectiveness of such efforts.

(C) An assessment of how the health care of veterans is impacted by such integration.

(D) A description of how care is coordinated between providers of community-based mental health care and the Department of Veterans Affairs, including a description of how documents and patient information are transferred and the effectiveness of those transfers between—

(i) the Veterans Health Administration and providers of community-based mental health care;

(ii) providers of community-based mental health care and the Veterans Health Administration;

(iii) providers of community-based mental health care and Veterans Affairs Health Administration.

(G) Suggestions on how the Department can better integrate community-based mental health care into the Veterans Health Administration by location and type of facility.

(2) An assessment of the military cultural competency of health care providers providing community-based mental health care to veterans.

(G) Such recommendations on how the Department can more effectively integrate mental health care into the Veterans Health Administration. (H) Report by the Comptroller General to the Committees on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report on the effectiveness of those transfers.

(3) COMMUNITY-BASED MENTAL HEALTH CARE DEFINED.—In this subsection, the term "community-based mental health care" means mental health care provided by a non-Department health care provider at a non-Department facility, including care furnished under section 1703 of title 38, United States Code (as in effect on the date specified in section 101(b) of the Caring for Our Veterans Act of 2018 (title 1 of Public Law 115–182)).

SEC. 405. JOINT MENTAL HEALTH PROGRAMS BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.

(a) REPORT ON MENTAL HEALTH PROGRAMS.—

(I) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs and the Secretary of Defense shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives a report on mental health programs of the Department of Veterans Affairs and the Department of Defense and joint programs of the Departments.

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

(A) A description of mental health programs operated jointly by the Department of Veterans Affairs, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including those conducted in collaboration between the Department of Veterans Affairs and the Department of Defense.

(iii) Programs that may improve mental health outcomes for veterans.

(B) A description of mental health programs operated by the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including those conducted in collaboration between the Department of Veterans Affairs and the Department of Defense.
Affairs and the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Mental health issue centers. A desegregation of any region-specific hiring incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks.

(D) Recommendations for coordinating mental health programs of the Department of Veterans Affairs and the Department of Defense to improve the mental health of members of the Armed Forces and veterans.

(3) DUTIES.—The Center shall conduct the following:

(A) Joint mental health care delivery programs of Veterans Affairs and the Department of Defense for veterans and members of the Armed Forces, including members of the reserve components, to inform treatment and care delivery programs.

(B) Mental health and suicide prevention research focused on veterans and members of the Armed Forces, including members of the reserve components, to inform treatment and care delivery programs.

(2) LOCATION.—The Center shall be established in a location that:

(A) is geographically close to existing and planned Intrepid Spirit Centers of the Department of Defense;

(B) is in close proximity to rural and highly rural areas targeted for the delivery of mental health services; and

(C) is in close proximity to a medical school of an institution of higher education.

(2) RURAL AND HIGHLY RURAL DEFINED.—In this section, with respect to an area, the terms "rural" and "highly rural" have the meanings given those terms in the Rural-Urban Commuting Areas coding system of the Department of Agriculture.

TITLE VI—IMPROVEMENT OF MENTAL HEALTH MEDICAL WORKFORCE

SECTION 501. STAFFING IMPROVEMENT PLAN FOR MENTAL HEALTH PROVIDERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) STAFFING IMPROVEMENT PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Inspector General of the Department of Veterans Affairs, shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a plan to address staffing shortfalls of mental health providers of the Department of Veterans Affairs, including filling any open positions.

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

(A) An estimate of the number of positions for mental health providers of the Department that need to be filled;

(B) An identification of the steps that the Secretary will take to address mental health staffing for the Department;

(C) A description of any region-specific hiring incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks.

(E) Recommendations for legislative or administrative action as the Secretary considers necessary to aid in addressing mental health staffing for the Department.

(3) REPORT.—Not later than one year after the submittal of the plan required by paragraph (1), 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 setting forth the number of mental health providers hired by the Department during the previous calendar period preceding the submittal of the report.

(b) OCCUPATIONAL SERIES FOR CERTAIN MENTAL HEALTH PROVIDERS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Office of Personnel Management, shall establish an occupational series for licensed professional mental health counselors and marriage and family therapists of the Department of Veterans Affairs.

SECTION 502. STAFFING IMPROVEMENT PLAN FOR PEER SPECIALISTS OF DEPARTMENT OF VETERANS AFFAIRS WHO ARE WOMEN.

(a) ASSESSMENT OF CAPACITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Inspector General of the Department of Veterans Affairs, shall commence an assessment of the capacity of peer specialists of the Department of Veterans Affairs who are women.

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

(A) The geographical distribution of peer specialists of the Department of Veterans Affairs who are women.

(B) The geographical distribution of women veterans.

(C) The number and proportion of women peer specialists who specialize in peer counseling on mental health or suicide prevention.

(D) The number and proportion of women peer specialists who specialize in peer counseling on non-mental health related matters.

(b) REPORT.—Not later than one year after the assessment required by subsection (a), 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 detailing the findings of the assessment.

(c) STAFFING IMPROVEMENT PLAN.—

(1) IN GENERAL.—Not later than 180 days after submitting the report required under subsection (b), the Secretary, in consultation with the Inspector General, shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a plan to address staffing shortfalls of mental health providers of the Department of Veterans Affairs, including filling any open positions.

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

(A) A description of any region-specific hiring incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks.

(B) Recommendations for legislative or administrative action as the Secretary considers necessary to aid in addressing mental health staffing for the Department.

(1) In general.—Chapter 76 of title 38, United States Code, is amended by inserting after subsection (a) of section 7602 of this title the following new subsection:

"§ 7699A. Obligated service

(a) IN GENERAL.—Each participant in the Program shall provide service as a full-time employee of the Department at a Vet Center for a specified number of school years following the completion by the participant of such program of study described in subsection (a)(1) that meets the requirements set forth in section 7604 of this title.

(2) Priorities.—In selecting individuals to participate in the Program, the Secretary shall give priority to the following individuals:

(B) An individual who is a veteran.

(2) AGREEMENT.—An agreement between the Secretary and a participant in the Program shall include the requirements set forth in section 7604 of this title.

(2) IN GENERAL.—Each participant in the Program shall participate in the Program for a six-year period following the date of the enactment of this Act, including through the use of Readjustment Counseling Service of the Department.
§7698B. Breach of agreement: liability

“(a) LIQUIDATED DAMAGES.—(1) A participant in the Program (other than a participant described in subsection (b) who fails to accept payment, or instructs the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the agreement entered into under section 7604 of this title shall be liable to the United States for liquidated damages in the amount of $1,500.

“(2) Liability under paragraph (1) is in addition to any period of obligated service or other obligation under such agreement.

“(b) LIABILITY DURING PROGRAM OF STUDY.—(1) Except as provided in subsection (d), a participant in the Program shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the agreement if any of the following occurs: 

“(A) The participant fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled (as determined by the educational institution under regulations prescribed by the Secretary).

“(B) The participant is dismissed from such educational institution for disciplinary reasons.

“(C) The participant voluntarily terminates the program of study in such educational institution before the completion of such program of study.

“(2) Liability under this subsection is in lieu of any service obligation arising under the agreement.

“(c) LIABILITY DURING PERIOD OF OBLIGATED SERVICE.—(1) Except as provided in subsection (d), if a participant in the Program does not complete the period of obligated service of the participant, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula: $A = 30t(\Phi - t/s).

“(2) In the formula in paragraph (1):

“(A) $t$ is the number of months of such period served by the participant.

“(B) $\Phi$ is the sum of—

“(i) the amounts paid under this subchapter to or on behalf of the participant; and

“(ii) the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the prevailing rate, as determined by the Treasurer of the United States.

“(C) ‘$t$’ is the total number of months in the period of obligated service of the participant.

“(D) ‘$s$’ is the total number of months of such period served by the participant.

“(d) LIMITATION ON LIABILITY FOR REDUCTIONS-IN-FORCE.—Liability shall not arise under subsection (c) if the participant fails to maintain employment as a Department employee due to a staffing adjustment.

“(e) PERIOD FOR PAYMENT OF DAMAGES.—Any amounts of damages that the United States is entitled to recover under this section shall be paid to the United States within the one-year period beginning on the date of the breach of the agreement.

“(f) CONFORMING AND TECHNICAL AMENDMENTS.—(1) CONFORMING AMENDMENTS.—(A) ERECTION OF PROGRAM.—Section 7606(a)(1) of such title is amended—

“(i) in paragraph (5), by striking ‘subchapter’,” and inserting “subchapter VI or IX”; and

“(ii) in subsection (b), by striking ‘or VI’ and inserting ‘VI, or IX’;

“(B) EXECUTION OF PROGRAM.—Section 7606(a)(1) of such title is amended—

“(i) in paragraph (5), by striking ‘subchapter’,” and inserting “subchapter VI or IX”; and

“(ii) in subsection (b), by striking ‘or VI’ and inserting ‘VI, or IX’; and

“(C) APPLICABILITY.—Section 7603(a)(1) of such title is amended by striking ‘or VIII’ and inserting ‘VIII, or IX’.

“(D) TERMS OF AGREEMENT.—Section 7604 of such title is amended by striking ‘or VIII’ each place it appears and inserting ‘VIII, or IX’.

“(E) ANNUAL REPORT.—Section 7632 of such title is amended—

“(i) in paragraph (1), by striking ‘and the Readjustment Counseling Service Scholarship Program’; and

“(ii) in paragraph (4), by striking ‘and the Readjustment Counseling Service Scholarship Program’ and inserting ‘per participant in the Readjustment Counseling Service Scholarship Program’.

“(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 76 of such title is amended by inserting the items relating to subchapter VIII the following:

“SUBCHAPTER IX—READJUSTMENT COUNSELING SERVICE SCHOLARSHIP PROGRAM

Sec. 7698. Requirement for program.

7698A. Eligibility: agreement.

7698B. Breach of agreement: liability.

7698C. Liability during period of obligated service.

7698D. Limitation on liability for reductions-in-force.

7698E. Period for payment of damages.

7698F. Conforming and technical amendments.

7698G. Establishment of program.

7698H. Eligibility: agreement.

7698I. Liability during period of obligated service.

7698J. Limitation on liability for reductions-in-force.

7698K. Period for payment of damages.

7698L. Conforming and technical amendments.

SEC. 504. COMPTROLLER GENERAL REPORT ON READJUSTMENT COUNSELING SERVICE OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—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 Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the Readjustment Counseling Service of the Department of Veterans Affairs.

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

(1) An assessment of the adequacy and types of treatment, counseling, and other services provided at Vet Centers, including recommendations for how the use of telehealth can be improved.

(2) An assessment of the efficacy of outreach efforts by the Readjustment Counseling Service, including recommendations for how outreach efforts can be improved.

(3) An assessment of barriers to care at Vet Centers, including recommendations for overcoming those barriers.

(4) An assessment of the feasibility and frequency of expanded eligibility for services from the Readjustment Counseling Service to provide mental health services, including recommendations for how the use of telehealth can be improved.

(5) An assessment of the feasibility and advisability of expanding eligibility for services from the Readjustment Counseling Service, including—

(A) recommendations on what eligibility criteria could be expanded; and

(B) an assessment of potential costs and increased infrastructure requirements if eligibility is expanded.

(6) An assessment of the use of Vet Centers by members of the reserve components of the Armed Forces of the United States, including recommendations on how to better reach those members.

(7) An assessment of the use of Vet Centers by eligible family members of former members of the Armed Forces and recommendations on how to better reach those family members.

(8) An assessment of the capacity of group therapy and the level of training of providers at Vet Centers in administering group therapy.

(9) An assessment of the efficiency and effectiveness of the task organization structure of Vet Centers.

(10) An assessment of the use of Vet Centers by Hispanic American veterans, as defined in section 7265 of title 38, United States Code, and recommendations on how to better reach those veterans.

(c) VET CENTER DEFINED.—In this section, the term ‘Vet Center’ means any individual, non-federal facility of the Department of Veterans Affairs that provides services to eligible veterans under title 38, United States Code, or to members of the reserve components of the Armed Forces of the United States who have served on active duty during a period of war.

SEC. 505. EXPANSION OF REPORTING REQUIREMENTS ON READJUSTMENT COUNSELING SERVICE OF DEPARTMENT OF VETERANS AFFAIRS.

(a) EXPANSION OF ANNUAL REPORT.—Paragraph (2)(C) of section 7306(e) of title 38, United States Code, is amended by inserting before the period at the end the following: “; including the resources required to meet such unmet need, such as additional staff, additional locations, additional infrastructure improvements, and additional mobile Vet Centers”.

(b) BIENNIAL REPORT.—Such section is amended by adding at the end the following new paragraph:

“(2) For each even numbered year in which the report required by paragraph (1) is submitted, the Secretary shall include in such report a prediction of—

(A) trends in demand for care;

(B) long-term investment requirements with respect to the provision of care;

(C) requirements relating to maintenance of infrastructure; and

(D) other capital investment requirements with respect to the Readjustment Counseling Service, including Vet Centers, mobile Vet Centers, and community-based outreach centers.

SEC. 506. STUDIES ON ALTERNATIVE WORK SCHEDULES FOR EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.

(a) STUDY OF VETERANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study on the attitudes of eligible veterans toward the Department of Veterans Affairs offering appointments outside the usual hours of facilities of the Department, including through the use of telehealth appointments.

(2) ELIGIBLE VETERAN DEFINED.—In this subsection, the term ‘eligible veteran’ means a veteran who—

(A) is enrolled in the patient enrollment system of the Department under section 1709(a) of title 38, United States Code; and

(B) received health care from the Department at least once during the two-year period ending on the date of the commencement of the study under paragraph (1).

(b) DEPARTMENT STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study on the attitudes of eligible veterans toward the Department of Veterans Affairs offering appointments outside the usual hours of facilities of the Department, including through the use of telehealth appointments.

(2) ELIGIBLE VETERAN DEFINED.—In this subsection, the term ‘eligible veteran’ means a veteran who—

(A) is enrolled in the patient enrollment system of the Department under section 1709(a) of title 38, United States Code; and

(B) received health care from the Department at least once during the two-year period ending on the date of the commencement of the study under paragraph (1).

SEC. 507. SUICIDE PREVENTION COORDINATORS.

(a) STAFFING REQUIREMENT.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall ensure that each medical center of the Department of Veterans Affairs, other than a facility of the Department of Veterans Affairs that is a hospital under chapter 17, of the United States Code, maintains a full-time coordinator of suicide prevention.

(b) REQUIREMENTS.—Such coordinator shall—

(1) ensure that the medical center, in consultation with employees of the Veterans Health Administration, including clinical, nonclinical, and support staff, with respect to offering appointments outside the usual operating hours of facilities of the Department, including through the use of telehealth appointments.
the Department of Veterans Affairs has not lost than one suicide prevention coordinator.

(b) STUDY ON REORGANIZATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary, in consultation with the Office of Mental Health and Suicide Prevention of the Department, shall commence the conduct of a study to determine the feasibility and advisability of—

(A) the realignment and reorganization of suicide prevention coordinators within the Office of Mental Health and Suicide Prevention; and

(B) the creation of a suicide prevention coordinator program office.

(2) REPORT REALIGNMENT.—In conducting the study under paragraph (1), the Secretary shall assess the feasibility of reorganizing—

(A) the Suicide Prevention Program within the Veterans Health Administration and helps ensure that those veterans presenting to urgent care centers are assessed to be at risk for suicide and are safe to be discharged home, including a safety plan and post-discharge outreach for veterans to facilitate engagement in outpatient mental health care.

(b) Report.—(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the efforts of the Secretary to implement a suicide prevention program for veterans presenting to an emergency department of the Veterans Health Administration who are assessed to be at risk for suicide and are safe to be discharged home, including a safety plan and post-discharge outreach for veterans to facilitate engagement in outpatient mental health care.

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

(A) An assessment of the implementation of the current operational policies and procedures of the SPED program at each medical center of the Department, including an analysis of the following:

(i) Training provided to clinicians or other personnel administering protocols under the SPED program.

(ii) Any disparities in implementation of such protocols between medical centers.

(iii) Current strategies to measure the quality of such protocols including—

(I) methodology used to assess the quality of a safety plan and post-discharge outreach for veterans;

(II) in the absence of such methodology, a proposed timeline and guidelines for creating a methodology for assessing the evidence-based model used under the Suicide Assessment and Follow-up Engagement: Veteran Emergency Treatment (SAFE VET) program of the Department.

(B) An assessment of the implementation of the policies and procedures described in subparagraph (A), including the following:

(i) An assessment of the quality and quantity of safety plans issued to veterans.

(ii) An assessment of the quality and quantity of post-discharge outreach provided to veterans.

(iii) The post-discharge rate of veteran engagement in outpatient mental health care, including attendance at not fewer than one individual mental health clinic appointment or admission to an inpatient or residential unit.

(iv) The number of veterans who decline safety planning efforts during protocols under the SPED program.

(v) The number of veterans who decline to participate in follow-up efforts within the SPED program.

(C) A description of how SPED primary coordinators are deployed to support such efforts, including the following:

(i) A description of the duties and responsibilities of such coordinators.

(ii) The number and location of such coordinators.

(iii) A description of training provided to such coordinators.

(iv) An assessment of the other responsibilities for such coordinators and, if applicable, differences in patient outcomes when such responsibilities are full-time duties as opposed to secondary duties.

(D) An assessment of the feasibility and advisability of expanding the total number and geographic distribution of SPED primary coordinators.

(E) An assessment of the feasibility and advisability of providing services under the SPED program via telehealth channels, including an analysis of opportunities to leverage telehealth to better serve veterans in other areas.

(F) A description of the status of current capabilities and utilization of tracking mechanisms to monitor compliance, quality, and patient outcomes under the SPED program.

(G) Such recommendations, including specific action items, as the Secretary considers appropriate, that can better implement the SPED program, including recommendations with respect to the following:

(i) A process to standardize training under such program.

(ii) Any resourcing requirements necessary to implement the SPED program throughout Veterans Health Administration, including by having designated clinician responsible for administration of such program at each medical center.

(iii) An analysis of current statutory authorities and any changes necessary to fully implement the SPED program through the Veterans Health Administration.

(iv) The implementation of the SPED program through the Veterans Health Administration once full resourcing and an approved training plan are in place.

(v) Such other matters as the Secretary considers appropriate.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—

The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Veterans’ Affairs; and

(B) the Committee on Appropriations of the Senate; and

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

(2) SPED PRIMARY COORDINATOR.—The term ‘‘SPED primary coordinator’’ means the main point of contact responsible for administering the SPED program at a medical center of the Department.

(3) SPED PROGRAM.—The term ‘‘SPED program’’ means the Safety Planning in Emergency Departments program of the Department of Veterans Affairs established in September 2018 for veterans presenting to the emergency department who are assessed to be at risk for suicide and are safe to be discharged home, which extends the evidence-based intervention for suicide prevention to all emergency departments of the Veterans Health Administration.

TITLE VI—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS

SEC. 601. EXTENDS QUALITY OF CARE INITIATIVES FOR WOMEN VETERANS CALL CENTER TO INCLUDE TEXT MESSAGING.

The Secretary of Veterans Affairs shall extend the capabilities of the Women Veterans Call Center of the Department of Veterans Affairs to include a text messaging capability.

SEC. 602. GAP ANALYSIS OF DEPARTMENT OF VETERANS AFFAIRS PROGRAMS THAT PROVIDE ASSISTANCE TO WOMEN VETERANS WHO ARE HOMELESS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall complete an analysis of programs of the Department of Veterans Affairs that provide assistance to women veterans who are homeless or precariously housed to identify the areas in which such programs are failing to meet the needs of such women.

(b) SUBMISSION.—Not later than 270 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 analysis completed under subsection (a).

SEC. 603. REQUIREMENT FOR DEPARTMENT OF VETERANS AFFAIRS PROGRAMS TO PROVIDE INFORMATION ON SERVICES AVAILABLE TO WOMEN VETERANS THROUGH WEB SITE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the Department of Veterans Affairs program via telehealth channels, including an analysis of opportunities to leverage telehealth to better serve veterans in other areas.

(F) A description of the status of current capabilities and utilization of tracking mechanisms to monitor compliance, quality, and patient outcomes under the SPED program.

(G) Such recommendations, including specific action items, as the Secretary considers appropriate, that can better implement the SPED program, including recommendations with respect to the following:

(i) A process to standardize training under such program.

(ii) Any resourcing requirements necessary to implement the SPED program throughout Veterans Health Administration, including by having designated clinician responsible for administration of such program at each medical center.

(iii) An analysis of current statutory authorities and any changes necessary to fully implement the SPED program through the Veterans Health Administration.

(iv) The implementation of the SPED program through the Veterans Health Administration once full resourcing and an approved training plan are in place.

(v) Such other matters as the Secretary considers appropriate.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—

The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) SPED PRIMARY COORDINATOR.—The term ‘‘SPED primary coordinator’’ means the main point of contact responsible for administering the SPED program at a medical center of the Department.

(3) SPED PROGRAM.—The term ‘‘SPED program’’ means the Safety Planning in Emergency Departments program of the Department of Veterans Affairs established in September 2018 for veterans presenting to the emergency department who are assessed to be at risk for suicide and are safe to be discharged home, which extends the evidence-based intervention for suicide prevention to all emergency departments of the Veterans Health Administration.
TITLE VII—OTHER MATTERS

SEC. 701. EXPANDED TELEHEALTH FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall enter into partnerships, and expand existing organizational structures, that represent or serve veterans, nonprofit organizations, private businesses, and other interested parties for the expansion of telehealth capabilities and telehealth services to veterans through the award of grants under subsection (b).

(b) AWARD OF GRANTS.—

(1) IN GENERAL.—In carrying out partnerships entered into or expanded under this section with entities described in subsection (a), the Secretary shall award grants to those entities that serve veterans in rural and high-need areas.

(2) LOCATION.—The Secretary shall ensure that grants are awarded to entities that serve veterans in rural and high-need areas (as determined through the use of the Rural-Urban commuting Areas coding system of the Department of Agriculture).

(c) USE OF GRANTS.—

(1) IN GENERAL.—Grants awarded to an entity under this subsection may be used for one or more of the following:

(i) Purchasing or upgrading hardware or software necessary for the provision of secure and private telehealth services.

(ii) Upgrading security protocols for consistency with the security requirements of the Department.

(2) USE OF GRANTS.—

(i) military and veteran cultural competence, if the entity is not an organization that represents veterans;

(ii) equipment required to provide telehealth services; or

(iii) any other unique training needs for the provision of telehealth services to veterans.

(iv) Upgrading existing infrastructure owned or leased by the entity to make rooms more conducive to telehealth care, including—

(I) additions or modifications to windows or walls in an existing room, or other alterations as needed to create a new, private room;

(II) soundproofing of an existing room;

(iii) any other electrical or internet outlets in an existing room; or

(IV) aesthetic enhancements to establish a more suitable therapeutic environment.

(v) Upgrading existing infrastructure to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(vi) Upgrading internet infrastructure and sustainment of internet services.

(d) EXCLUSION.—Grants may not be used for the purchase of new property or for major construction projects, as determined by the Secretary.

(e) AGREEMENT ON TELEHEALTH ACCESS POINTS.—

(1) IN GENERAL.—An entity described in subsection (a) that seeks to establish a telehealth access point for veterans but does not require grant funding shall do so in agreement with the Department for the establishment of such an access point.

(2) ADEQUACY OF FACILITIES.—An entity described in paragraph (1) shall be responsible for ensuring that any access point is adequately private, secure, and accessible for veterans before the access point is established.

(f) ASSESSMENT OF BARIERS TO ACCESS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall complete an assessment of barriers faced by veterans in accessing telehealth services.

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

(i) The extent to which veterans face in using telehealth while not on property of the Department.

(3) REPORT.—Not later than 120 days after the completion of the assessment required by paragraph (1), 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 assessment, including any recommendations for legislative or administrative action based on the results of the assessment.

SEC. 702. PARTNERSHIPS WITH NON-FEDERAL GOVERNMENT ENTITIES TO PROVIDE HYPERBARIC OXYGEN THERAPY TO VETERANS.

(a) PARTNERSHIPS TO PROVIDE HYPERBARIC OXYGEN THERAPY TO VETERANS.—

(1) USE OF PARTNERSHIPS.—The Secretary of Veterans Affairs, in consultation with the Center for Compassionate Innovation within the Office of Community Engagement of the Department of Veterans Affairs, shall commence the partnerships with non-Federal Government entities to provide hyperbaric oxygen treatment to veterans to research the effectiveness of such therapy.

(2) TYPES OF PARTNERSHIPS.—Partnerships entered into under paragraph (1) may include the following:

(A) Partnerships to conduct research on hyperbaric oxygen therapy.

(B) Partnerships to review research on hyperbaric oxygen therapy provided to non-veterans.

(C) Partnerships to create industry working groups to determine standards for research on hyperbaric oxygen therapy.

(D) Partnerships to provide to veterans hyperbaric oxygen therapy for the purposes of conducting research on the effectiveness of such therapy.

(3) LIMITATION ON FEDERAL FUNDING.—Federal Government funding may be used to coordinate and administer the partnerships under this subsection but may not be used to carry out activities conducted under such partnerships.

(b) REVIEW OF EFFECTIVENESS OF HYPERBARIC OXYGEN THERAPY.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in consultation with the Center for Compassionate Innovation, shall begin using an objective and quantitative method to review the effectiveness and applicability of hyperbaric oxygen therapy, such as through the use of a device approved or cleared by the Food and Drug Administration that assesses traumatic brain injury by tracking eye movement.

(c) SYSTEMATIC REVIEW OF USE OF HYPERBARIC OXYGEN THERAPY TO TREAT CERTAIN CONDITIONS.

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall commence the conduct of a systematic review of published research literature on off-label use of hyperbaric oxygen therapy to treat post-traumatic stress disorder and traumatic brain injury among veterans and non-veterans.

(2) ELEMENTS.—The review conducted under paragraph (1) shall include the following:

(i) tests and questionnaires used to determine the efficacy of such therapy; and

(ii) metrics for determining the success of such therapy.

(B) A comparative analysis of tests and questionnaires used to study post-traumatic stress conditions.
disorder and traumatic brain injury in other research conducted by the Department of Veterans Affairs, other Federal agencies, and entities outside the Federal Government.

(2) REVIEW.—The review conducted under paragraph (1) shall be completed not later than 180 days after the date of the commencement of the review.

(3) REPORT.—Not later than September 30, 2022, and annually thereafter, 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—

(a) assessing the progress of the Secretary in appointing licensed hearing aid specialists under subsection (a);

(b) assessing potential conflicts or obstacles that prevent the appointment of licensed hearing aid specialists;

(c) assessing the factors that led to such conflicts or obstacles; and

(d) indicating the medical centers of the Department with vacancies for licensed hearing aid specialists.

SEC. 704. USE BY DEPARTMENT OF VETERANS AFFAIRS OF COMMERCIAL INSTITUTIONAL REVIEW BOARDS IN SPONSORED RESEARCH TRIALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete all necessary policy revisions within the directive of the Veterans Health Administration numbered 1200.65 and titled “Requirements for the Protection of Human Subjects Research” to allow sponsored clinical research of the Department of Veterans Affairs to use accredited commercial institutional review boards to review research proposal protocols.

(b) IDENTIFICATION OF REVIEW BOARDS.—Not later than 90 days after the completion of the policy revisions under subsection (a), the Secretary shall—

(1) identify accredited commercial institutional review boards for use in connection with sponsored clinical research of the Department; and

(2) establish a process to modify existing approvals in the event that a commercial institutional review board loses its accreditation during an ongoing clinical trial.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the completion of the policy revisions under subsection (a), and annually thereafter, 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 results of the study.

(2) ELEMENTS.—The report required by paragraph (1) shall include the recommendations of conclusions resulting from research conducted by an authorized provider of hyperbaric oxygen therapy for veterans through the pilot program described in such paragraph.

(3) COMPLETION OF STUDY.—The study conducted under paragraph (1) shall be completed not later than three years after the date of the commencement of the study.

(4) REPORT.—

(a) IN GENERAL.—Not later than 90 days after completion of the review conducted under paragraph (1), 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 results of the study.

(b) ELEMENTS.—The report required under subparagraph (A) shall include the recommendations and conclusions resulting from research conducted by an authorized provider of hyperbaric oxygen therapy to veterans to determine the efficacy and effectiveness of hyperbaric oxygen therapy for the treatment of post-traumatic stress disorder and traumatic brain injury.

(2) REPORT.—

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete all necessary policy revisions within the directive of the Veterans Health Administration numbered 1200.65 and titled “Requirements for the Protection of Human Subjects Research” to allow sponsored clinical research of the Department of Veterans Affairs to use accredited commercial institutional review boards to review research proposal protocols.

(b) IDENTIFICATION OF REVIEW BOARDS.—Not later than 90 days after the completion of the policy revisions under subsection (a), the Secretary shall—

(i) identify accredited commercial institutional review boards for use in connection with sponsored clinical research of the Department; and

(ii) establish a process to modify existing approvals in the event that a commercial institutional review board loses its accreditation during an ongoing clinical trial.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the completion of the policy revisions under subsection (a), and annually thereafter, 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 all approvals of institutional review boards used by the Department, including central institutional review boards and commercial institutional review boards used by the Department; and

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) The name of each clinical trial with respect to which the use of an institutional review board has been approved.

(B) The institutional review board or institutional review boards used in the approval process for each clinical trial.

(C) The amount of time between submission and approval.

SEC. 705. CREATION OF OFFICE OF RESEARCH REVIEWS WITHIN THE OFFICE OF INFORMATION AND TECHNOLOGY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish within the Office of Information and Technology of the Department of Veterans Affairs an Office of Research Reviews (in this section referred to as the “Office’’).

(b) ELEMENTS.—The Office shall do the following—

(1) Performed centrally secured reviews and investigations; and comprehensive reviews of research sponsored outside the Department, with a focus on multi-site clinical trials.

(2) Develop and maintain a list of commercially available software products preferred for use in sponsored clinical trials of the Department and ensure such list is maintained as part of the official approved software products list of the Department.

(3) Develop benchmarks for appropriate timelines for security reviews conducted by the Office.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the establishment of the Office, the Office 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 activities of the Office.

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following—

(A) The number of security reviews completed.

(B) The number of personnel assigned for performing the functions described in subsection (b).

Mr. MORAN. Mr. President, I ask unanimous consent that the committee-reported substitute be withdrawn; that the Moran substitute amendment at the desk be considered and agreed to; and that the bill, as amended, be considered read a third time.

Mr. MORAN. I know of no further debate on the bill, as amended.

Mr. MORAN. Thank you for that. I now ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

Mr. MORAN. I yield to the Senator from Montana for his conversation and discussion about this legislation.

Mr. TESTER. Mr. President, I thank the chairman of the VA Committee, Senator Moran, for his leadership.

What we have done here today is a very, very good thing. I think the biggest challenge facing the VA today is that we are losing 20 veterans a day to suicide. It has been that way for some time.

People have been looking for solutions—looking for solutions—and the fact is that there is no silver bullet. But what we have done today is give the VA more tools in their toolbox to be able to address this problem of mental health and veteran suicide amongst our veterans.

I thank Chairman Moran for his comments about CDR John Scott Hannon, after whom this bill is named. As Senator Moran has pointed out,
this Navy SEAL served our Nation for 23 years. And after combat, Scott returned to Helena, MT, but, unfortunately, the invisible wounds of war followed him right back home.

He was open about his journey to recovery, getting involved in the Montana chapter of the National Alliance on Mental Illness and using animal therapy and programs at Montana Wild. But, unfortunately—and I know his family is watching right now—on February 25, 2018, Scott succumbed to the wounds of war that caused his mental illness.

As Chairman Moran has pointed out, this bill honors his legacy by supporting the kinds of programs that helped improve Commander Hannon’s quality of life by expanding our understanding of mental health conditions and the treatments that may have made diagnosing the conditions easier.

I am not going to go into everything the bill does because Senator Moran did a great job. All I can say is that we have a great VA Committee in this U.S. Senate. It is a committee that works to get things done in a bipartisan way.

I have had the honor of serving with John Isakson as chairman and now with Chairman Moran, and we haven’t missed a step. We continue to work together to support our veterans across this country.

There is no better way of supporting our veterans than to pass this bill, which is what we just did in the U.S. Senate about 2 minutes ago.

The bottom line is this: This isn’t the final bill we are going to pass out of the U.S. Senate dealing with veterans. We have plenty more. In fact, I think the final bill we are going to pass out of here today and across the country.

I would say to those family members that this legislation—we hope—and the example that their loved ones demonstrated in their lives will be something that will inspire us to do the right thing as a country who served. So I express my condolence and sympathies to the families, and I thank all who served, and I do so on behalf of all Members of the U.S. Senate.

Finally, I would be remiss if I didn’t thank the dedicated staff members who helped this legislation through to this point: Emily Blair, who is with us on the Senate floor tonight, Tiffani Woolfolk, Mark Crowley, Asher Allman, Scott Nulty, Pat McGuigan, David Shearman, and Caroline Canfield.

In addition, thank you to Senator Tester’s staff: Sophie Friedli, Dahlia Melendez, and Tony McClain, the Kanarian, as well as the House Veterans’ Affairs Committee staff members.

Suicide is preventable, and with the passage of Commander John Scott Hannon Veterans Mental Health Care Improvement Act tonight—here, moments ago—we take a giant step forward to protect the lives of the people who have given us so much in their protection of each and every one of us here today and across the country.

I yield the floor.

TRIBUTE TO PUTNAM "PUT" BLODGETT

Mr. LEAHY. Mr. President, Putnam "Put" Blodgett’s lifetime of service to the Vermont forest industry deserves special recognition. Put personified the essence, values, and traditions of what makes Vermont special.

Put’s family moved to a Bradford, VT, dairy farm during the height of the Great Depression. He attended Dartmouth College and returned home in 1953 to work on the family farm, which he eventually took over and continued to steward with his wife and children. Put left the dairy business for other endeavors but maintained his connection to the family land, working tirelessly to restore and manage its 700-acre woodlot. Always focused on long-term sustainable management, Put placed the acreage in conservation with the Upper Valley Land Trust, preserving the forest for all generations.

Put’s son now manages the forest, continuing that legacy.

Put and his wife, Marilyn, ran the Challenge Wilderness Camp, teaching children about nature and guiding them on wilderness pursuits. Children would travel from cities to live in an Adirondack shelter, cook over an open fire, learn to canoe, and explore the forest. Put’s goal was to assist young people on their journey to adulthood, cultivating their connection with the natural world. Watching our children and grandchildren play in woods and fields of our family farm in VT, Marcelle and I know how crucial it is for children to have the experience in nature that Put and Marilyn provided to so many.

As true leaders in Vermont’s conservation and forestry community, Put was the longstanding president of Vermont Woodlands Association and oversaw the Tree Farm Program. He was recognized twice as Vermont’s Outstanding Tree Farmer of the Year. Our farm in Middlesex has been enrolled in the Tree Farm Program for about 30 years, and I am deeply appreciative of the value the program has brought to my land and to Vermont.

Forest management discussions can be a tense tug-of-war between environmentalism and timber management, but Put didn’t see it that way. He understood conservation as a shared priority—a public and private good alike—and he worked to unite divergent stakeholders around this common interest. I looked to Put for advice when writing Vermont wilderness legislation and Put was a founding member of the Vermont Natural Resources Council’s Forest Roundtable, an open forum for Vermonters to exchange information and recommend conservation policy. On many occasions, Put helped opposing sides find that elusive common ground on forest management policy.

Putnam Blodgett, as any true forest worker, worked with a mission to be accomplished on a timeframe much longer than his own life span or a single generation. Put passed away earlier this year, and yet I take comfort knowing that the Green Mountains of Vermont are better for his work here. To the great benefit of my grandchildren and many generations to come, Put’s legacy lives in the Northern Forest.

RECOGNIZING THE STAFF OF ECHO, THE LEAHY CENTER FOR LAKE CHAMPLAIN

Mr. LEAHY. Mr. President, as the coronavirus pandemic continues and in some places worsens, every business and public institution faces significant challenges. These challenges make hard choices, adapt quickly, and ultimately find the balance between the safety of their employees and those they serve and their ability to keep their doors open. The leadership and staff of one Vermont nonprofit, ECHO, Leahy Center for Lake Champlain, has been a model of perseverance, creativity, and commitment to serving
the community during the COVID-19 pandemic, finding creative ways to bring their important programming and resources to the public.

The center, located in Burlington, VT is dedicated to educating people of all ages about the value of the natural environment, and the importance of protecting the Lake Champlain watershed and others like it. Recognizing the importance of equitable access to achieving this mission, the center developed several programs that break down financial barriers to its facilities and ensures that these educational opportunities are available to all. Most years see more than 167,000 visitors to this award-winning, LEED-certified facility on the Burlington shores of Lake Champlain. Visitors of all ages come to experience over 100 interactive exhibits and 70 different species of fish, amphibians, and reptiles that inhabit the ecosystem we call home.

When COVID-19 began to spread throughout the northeast, the center, like so many businesses and facilities, was forced to close its doors to the public. But though they were unable to welcome visitors into the physical location, the dedication of the staff was undeterred. After closing their doors on March 14, the staff drew on their considerable skills to quickly adapt to the new remote environment, offering a range of online learning tools including educational guides, instructions for at-home science experiments, and live video feeds of animal exhibits in order to support local schools and families. They even continued remote programming for adults, including legislative updates on water quality work through the Clean Water Network and an LGBTQIA panel discussion during Pride Week. Some staff took it upon themselves, wearing masks of course, to stealthily clean out the shelves of the gift shop and set up remote centers of commerce from their own homes. Animal care staff reported to work without interruption, and the turtles and fish and frogs that call ECHO, Leahy Center for Lake Champlain home, thrived, all while missing their human visitors.

Having helped with our State’s great success in curtailing the spread of the virus, ECHO, Leahy Center for Lake Champlain reopened to members on June 29 and to all guests on July 4, with extensive health and sanitary guidelines in place. Just as they were reopening, the center even hosted a wedding on just a few minutes notice, proving that their human visitors are more than welcome.

King Arthur Flour of Norwich, VT, for their accomplishments over the years and their commitment to serving the community during the pandemic. Almost as old as the United States itself, this company was established in 1790, just 1 year into George Washington’s Presidency. It began in Boston, with Henry Wood importing high-quality flour from England and evolved into a nationally recognized resource for home bakers and a beloved Vermont company. In 1984, King Arthur Flour moved to Norwich, where the business grew rapidly. Today, the brand is ranked second in the Nation for overall flour sales. But the rise to fame doesn’t mean they abandoned the Arthurian principles that their name was inspired by.

In 2004, the family business was officially sold to its employees. Such an act demonstrates the high value the company places on their community and their employees. They also continue to source entirely from American farms, to ensure high-quality production and to support a sustainable agricultural economy. As always, they guarantee quality and purity by promising their customers products free of bleach, bromate, or any artificial preservatives. Through their commitment to their employees, the community, and to delivering high-quality, responsibly sourced products, this company truly demonstrates the values and character of a Vermont business.

King Arthur Flour further confirmed their commitment to serving and empowering their communities during the COVID-19 pandemic. In March of this year, Americans were ordered to stay home to slow the spread of the virus. This led millions of Americans to begin baking at unprecedented rates. It was not uncommon to visit a grocery store this spring and see the empty shelves in the baking aisle. Like many other essential services, King Arthur was tasked with the need to fulfill a rising demand, while also keeping their employees safe. True to their character, King Arthur stepped up to the plate. "Not only did they get their products to consumers, they continued to staff the Baker’s Hotline. For the last several decades, King Arthur has been about more than just selling products; they also want to educate and connect with people. Inundated with calls and social media engagement from home bakers, the company’s baking instructors, whose jobs were put on hold, began delivering virtual classes and managing the high quantity of social media interactions.

When the country needed an at-home pastime, King Arthur Flour answered the call. I have visited their flagship store in the past and can attest to the quality of their products and services. I applaud them for their commitment to serving the national community during such uncertain times. King Arthur Flour truly exemplifies what it means to be a Vermont business and deserves enormous praise. Marcelle and I visit their plant often in Norwich, and I am so proud of all they have accomplished. King Arthur’s story during the pandemic was recently covered by Melissa Pasanen of the Vermont Seven Days, and I request that excerpts of this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Seven Days, June 23, 2020]

HOW THE PANDEMIC PROPELLED KING ARTHUR FLOUR INTO THE NATIONAL SPOTLIGHT

(By Melissa Pasanen)

Laurie Furch, a former baker owner, has answered calls for the King Arthur Flour Baker’s Hotline for almost six years. Every shift, she handles dozens of questions from anxious bakers. She’s used to troubleshooting problems such as Why are my cookies taking an hour to bake? Or, Can I substitute all-purpose flour for bread flour? But not even the holiday baking season and its deluge of calls prepared Furch and her teammates for the tsunami of home baking appeals that struck the weekend of March 14. That Sunday, the hotline handled a percent spike in calls.

As the coronavirus pandemic shut businesses and schools, and shelter-in-place orders rolled out nationwide, homebound Americans were baking at an unprecedented rate—and they needed help.

Millions of those bakers turned to Nor- wich-based King Arthur Flour—and for flour to fuel the new national pastime. The crescendo of phone calls was something the company could handle by redeploying staff from its temporarily shuttered baking education center and retail operation. Addressing a nationwide run on flour that left grocery store shelves bare was a big challenge.

“Not only were people all learning how to bake,” Furch said, “then Americans decided they all needed flour at the same time.”

Arthur started as a regional New England brand and eventually developed national distribution for its products. In recent years, when customers from Florida or California emailed to ask where to buy the flour, they could be referred to a nearby supermarket.

The pandemic changed that—and shone a national spotlight on a beloved Vermont company and how it does business.

It’s a welcome story that demonstrates nice guys can finish first.

‘THE NEW HOT CATEGORY’

Normally, the flour business is pretty sleepy and doesn’t tend to grab headlines.
Plain wheat flour is a low-margin business that many consumers consider an indifferent, basic commodity. "If you want to make money, you don't grow potatoes or sell potato chips. You don't sell flour; you sell breakfast cereal," explained Jeffrey Hamelman, a certified master baker and retired original director of King Arthur Flour. But COVID-19 has affected almost everything, including the flour world. March is the slowest time of the year for flour sales, as it leads up to Easter, which is the second busiest baking season after the winter holidays. So Bill Tine, King Arthur's vice president of marketing, was surprised when, seemingly out of the blue, hotline call volume took its giant leap in mid-March. Tine said the phone started to ring at a late Sunday evening call phone to check in with colleagues about the unusual numbers. But, honestly, he said, that period of time is a blur. King Arthur, like every essential business, was busy figuring out how to keep going and keep its employees safe. Then, unexpectedly, they were simultaneously faced with the sudden spike in demand for flour and baking advice. The week of March 16 was when grocery store orders started to pick up in an unusual way. Over the next four weeks, they were over prior year sales. Tine said. There were well-publicized shortages of toilet paper and hand sanitizer, but, he said, "It was a little bit of a shock that all of a sudden flour became, like, the third thing that started to go out of stock." In response to empty grocery shelves, more consumers ordered direct from King Arthur than ever before, reaching six times normal sales.

On April 19, the company tallied a new one-day record of traffic, with close to 1 million user sessions and 143 million page views. It blew past the previous record of 542,000 sessions on the day before Thanksgiving 2019. And the orders looked different, Tine said. Direct sales were traditionally a mix of harder-to-find specialty products. But now consumers were ordering the core supermarket item they could not find: King Arthur's signature 5-pound red-and-white paper bag of flour. While management was scrambling to get those shelves full, Furch, her hotline colleagues and the team that handles social media interactions were on a neverending hamster wheel. As unplanned, it started to feel "like a continual Christmas season," Furch recalled. All told, the calls, emails, social media interactions and web traffic across April and May saw a sixfold increase. Management did what it could to deepen the benchmark. The four-person digital engagement team grew to 17, thanks to bakers and baking tools and ingredients. "We do," Furch of the Baker's Hotline said. "Baking during the pandemic has taught Americans anything. "I think people like the tactile aspect of it: the touching, the smelling, the feeling. We don’t always engage all of our senses in what we do." Furch of the Baker's Hotline said. "Baking also forces you to pay attention to somebody else’s rhythm, which is the rhythm of the dough, I think people are learning patience."

REFERRAL OF NOMINEES FOR FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Mr. VAN HOLLEN. Mr. President, I support the referral for a committee hearing of the nominations of Frank Dunlevy, Christopher Bancroft Burnham, and John M. Barger to be Members of the Federal Retirement Thrift Investment Board.

ADDITIONAL STATEMENTS

TRIBUTE TO ROBERT J. HALSTEAD

 Ms. ROSEN, Mr. President, it is my honor to join other highly productive and service of Robert J. Halstead, a pillar of the Nevada environmental community, who retired earlier this month after serving the great State of Nevada for over three decades. Has been instrumental as a leader in the fight against the failed and fiscally irresponsible proposal to dump our Nation’s nuclear waste at the Yucca Mountain site in Nevada. Since
2001, Bob has served as the executive director for the Nevada Agency for Nuclear Projects, where his watchful eye and his inexhaustible passion for protecting our State has been an invaluable resource.

On numerous occasions, Bob has stood before the State and the U.S. Congress to share his expertise on the subjects of nuclear waste, radioactive materials, and nuclear waste transportation.

We owe Bob Halstead a debt of gratitude for the crucial work he has done to protect Nevadans and the State itself from becoming the Nation’s nuclear dumping ground.

Bob also has defended the state beyond the Yucca Mountain fight. Two years ago, when it came to light that the Department of Energy had secretly shipped a half ton of weapons-grade plutonium to the Nevada National Security Site, Bob led the charge to right this incredible wrong committed against our State.

I am deeply grateful for Bob’s tireless work to protect the health and safety of our community and our environment. Bob has been a source of strength and inspiration for me and my staff, offering unmatched knowledge of the complex history of Yucca Mountain and our State’s fight against the ill-advised proposal to which Nevadans have never consented.

Even though Bob is taking a step back from his work and is beginning a well-deserved retirement, I know that he will remain a continued source of inspiration, advice, and passion as we continue in our fight to defend Nevada. I thank Bob Halstead for a lifetime of service, and I wish him and his family all the best in this new chapter of life.

RECOGNIZING JWR CONSTRUCTION SERVICES, INC.

Mr. RUBIO. Mr. President, as chairman of the Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies the American entrepreneurial spirit at the heart of our country. It is my privilege to recognize a family-owned small business that builds high-quality projects and is actively involved in several community organizations. This week, it is my pleasure to honor JWR Construction Services, Inc., of Deerfield Beach, FL, as this week’s Senate Small Business of the Week.

In 1985, Jerry DuBois and William Gallo founded JWR Construction Services in Deerfield Beach, FL. Recognizing a need for well-built commercial buildings, they combined Jerry’s project management expertise and William’s architectural skill to start their general contracting and construction management firm. From the beginning, Jerry and William established passion, respect, ownership, service, and safety as the core values of their company. They prioritized customer service and community involvement.

Over the next 35 years, JWR Construction finished construction projects throughout Florida. They have built affordable multi-family housing, healthcare facilities, and senior living centers, along with commercial and industrial facilities. JWR Construction has completed projects for the University of Miami, Johnson & Wales University, Nova Southeastern University, and Florida Atlantic University.

JWR Construction creates dignified work for their employees and contractors, ensuring social mobility and supporting the skilled trades. They emphasize hiring veterans including Jerry’s son, Dustin, who is a U.S. Navy veteran. Dustin served for 5 years as a machinist mate and special warfare combatant-craft crewman. He joined the family business in 2009 and currently serves as its chief operating officer.

Through their leadership and service, JWR Construction has advocated for the contracting industry and South Florida community. In addition to numerous awards, JWR Construction is active in the Associated Builders and Contractors Florida East Coast chapter, with two members serving on the local 2020 board of directors. JWR Construction has partnered with dozens of community organizations, including the Boys and Girls Club, the Deerfield Beach Little League team, and the Broward Navy Days. Jerry serves on the board of Rebuilding Together Broward, which revitalizes inspired individuals, especially veterans.

Like many Floridian small businesses, JWR Construction Services stepped up to support its community during the coronavirus pandemic. When the Deerfield Beach Housing Authority hosted its seventh Annual Destination Graduation for local low-income high school seniors, JWR Construction helped organize a drive-through graduation celebration. They provided a laptop computer for each graduating student, donating a total of $14,000 in graduation gifts.

When the U.S. Small Business Administration launched the Paycheck Protection Program, Jerry and William applied immediately. The PPP provides forgivable loans to impacted small businesses and nonprofits who maintain their payroll during the COVID-19 pandemic. In April 2020, JWR Construction received funds which enabled them to keep 37 employees paid and allowed them to safely continue their essential work in south Florida.

JWR Construction Services is an incredible example of how hard work and determination can create a business that is both successful and beneficial to the community that it serves. I commend their important work. Congratulations to Jerry, William, Dustin, and the entire team at JWR Construction. I look forward to watching your continued growth and investment in the south Florida community.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first time and second times by unanimous consent, and placed on the calendar:

H.R. 6386. An act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4461. A bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.
CONGRESSIONAL RECORD — SENATE
August 5, 2020

*Hester Maria Peirce, of Ohio, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2025.

*Caroline A. Crenshaw, of the District of Columbia, to be a Member of the Financial Sector Resilience Board and the Financial Stability Oversight Council, and to be a Commissioner of the Securities and Exchange Commission for a term expiring June 5, 2024.

*Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2025.

*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEAHY:
S. 438. A bill to amend title 5, United States Code, to protect Federal employees from prohibited use of Federal records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SMITH (for herself, Mr. MERKLEY, Ms. BALDWIN, Mrs. GILLIBRAND, and Ms. HARRIS):
S. 439. A bill to require any COVID-19 drug developed in whole or in part with Federal support to be affordable and accessible by prohibiting monopolies and price gouging, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH (for herself, Mr. MURPHY, Mr. KING, Mr. WHITEHOUSE, Ms. BROWN, Mr. CARPER, and Mr. WYDEN):
S. 440. A bill to authorize the Director of the Center for Disease Control and Prevention to carry out a Social Determinants of Health Ferguson, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Ms. SMITH):
S. 441. A bill to amend title XIX of the Social Security Act to encourage State Medicaid programs to provide community-based mobile health care coordination services, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself, Ms. BLUMENTHAL, Ms. RICHARDS, Mr. MARKEY, Ms. KLOBuchar, Mrs. FEINSTEIN, Ms. WARREN, Mr. HINCHLIFF, and Mr. COONS):
S. 442. A bill to amend title II of division A of the CARES Act to provide Pandemic Unemployment Assistance to individuals with mixed income sources, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Ms. HASSAN, Mr. DURBIN, Mr. MARKEY, Ms. HARRIS, Mr. COONS, Mr. BOOKER, Mr. HIRONO, Ms. KLOBuchar, Ms. BALDWIN, Ms. WARREN, Mr. WYDEN, Mr. SANDERS, Mrs. MURRAY, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. CASEY, Mrs. FEINSTEIN, and Mr. MENENDEZ):
S. 443. A bill to amend title 18, United States Code, to remove the death penalty from the list of prohibited uses of Federal death penalty funds, and to ensure that any use of the death penalty is in accordance with Federal law.

By Mr. THUNE (for himself and Mr. ROUNDS):
S. 444. A bill to require installation of a network of soil moisture and snowpack monitoring in the Upper Missouri River Basin and to establish a pilot program for the acquisition and use of data generated by that network, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COTTON (for himself, Mrs. BLACKBURN, and Mr. ROBPORT):
S. 445. A bill to establish appropriate rules for prosecutors and Federal judges to carry a concealed firearm; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. BLUMENTHAL, and Ms. KLOBuchar):
S. 446. A bill to allow affiliation rules under the paycheck protection program for Tribal business concerns with the same employer identification number, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. CORTEZ MASTO:
S. 447. A bill to amend the Families First Coronavirus Response Act to temporarily modify child nutrition programs due to COVID-19, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WARNER (for himself and Mr. BOOKER):
S. 448. A bill to amend titles XIX and XXI of the Social Security Act to give States the option to extend the Medicaid drug rebate program to the Children's Health Insurance Program, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. KAIJ):
S. 449. A bill to authorize the Secretary of the Interior to convey to the State of Virginia and the District of Columbia certain National Park Service land for the construction of rail and other infrastructure, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:
S. 450. A bill to establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself and Mr. BRAUN):
S. 451. A bill to authorize the Secretary of Agriculture to guarantee investments that will open new markets for forest owners in rural areas of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY:
S. 452. A bill to prohibit Federal employees from downloading or using WeChat on Government devices; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW (for herself, Mr. MURKOWSKI, Mr. LEAHY, Mr. CASSIDY, Mr. BROWN, Ms. KLOBuchar, Mr. BENNET, Mrs. GILLIBRAND, Mr. CASEY, Ms. SMITH, Mr. DURBIN, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. REED):
S. 453. A bill to protect the continuity of the food supply chain of the United States in response to COVID-19, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL:
S. 454. A bill to require the review by the Committee on Foreign Investment in the United States of greenfield investments by the People's Republic of China, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HARRIS (for herself, Mr. DUCKWORTH, Mrs. GILLIBRAND, Ms. SMITH, Mr. MURKOWSKI, and Mr. HINCHLIFF):
S. 455. A bill to require reporting on the paycheck protection program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. HASSAN (for herself and Mr. CASSIDY):
S. 456. A bill to amend the Public Health Services Act to permit use of health information technology systems to use the Postal Service tool to standardize formatting in electronic health records when entering patient information to improve match rates among patient records; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:
S. 457. A bill to prohibit companies doing business in the United States from amplifying propaganda originating from the Government of the People’s Republic of China, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASSIDY (for himself, Ms. SMITH, Mr. TILLIS, Mr. KING, and Mr. CARPER):
S. 458. A bill to grant the authority for States to enter into interstate compacts or agreements for the purpose of procuring COVID-19 tests; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself, Ms. HARRIS, Mr. MENENDEZ, and Mr. BOOKER):
S. 459. A bill to amend the CARES Act to modify the membership requirements of the Congressional Oversight Commission; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mr. KING, and Mr. SULLIVAN):
S. 460. A bill to authorize the Secretary of Veterans Affairs to waive certain eligibility requirements for a veteran to receive per diem payments for domiciliary care at a VA home, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. LANKFORD (for himself and Ms. HASSAN):
S. 461. A bill to provide for a period of continuing appropriations to the event of a lapse in appropriations under the normal appropri 585 processes, and establish procedures and consequences in the event of a failure to enact appropriations; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, referred (or acted upon), as indicated:

By Mr. CORNYN:
S. Res. 867. A resolution calling for the immediate release of Trevor Reed, a United States Citizen who was unjustly sentenced to 9 years in a Russian prison; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 785

At the request of Mr. MORAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 785, a bill to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

S. 1544

At the request of Mr. BOOZMAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1544, a bill to amend title
XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, and for other purposes.

S. 1609

At the request of Mr. Van Hollen, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 1609, a bill to amend the Securities Act of 1934 to require country-by-country reporting.

S. 2257

At the request of Mr. Durbin, the name of the Senator from Pennsylvania (Ms. Murkowski) was added as a cosponsor of S. 2257, a bill to reform the financing of Senate elections, and for other purposes.

S. 3038

At the request of Mr. Peters, the name of the Senator from Delaware (Mr. Carper) was added as a cosponsor of S. 3038, a bill to promote innovative acquisition techniques and procurement strategies, and for other purposes.

S. 3173

At the request of Mr. Lee, the name of the Senator from Indiana (Mr. Braun) was added as a cosponsor of S. 3173, a bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses.

S. 3431

At the request of Mr. Warner, his name was added as a cosponsor of S. 3393, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans’ disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 3431

At the request of Mr. Cassidy, the name of the Senator from Georgia (Mrs. Loeffler) was added as a cosponsor of S. 3431, a bill to require online marketplaces to disclose certain verified information regarding high-volume third party sellers of consumer products to inform consumers.

S. 3517

At the request of Ms. Klobuchar, the name of the Senator from Iowa (Ms. Ernst) was added as a cosponsor of S. 3517, a bill to increase the ability of nursing facilities to access to telehealth services and obtain technologies to allow virtual visits during the public health emergency relating to an outbreak of coronavirus disease 2019 (COVID-19), and for other purposes.

S. 3595

At the request of Ms. Rosen, the name of the Senator from Nevada (Ms. Cortez Masto) was added as a cosponsor of S. 3595, a bill to require a longitudinal study on the impact of COVID-19.

S. 3596

At the request of Mr. Braun, the name of the Senator from Alabama (Mr. Jones) was added as a cosponsor of S. 3596, a bill to make technical corrections to the CARES Act to remove all tax liability associated with loan forgiveness under the Paycheck Protection Program.

S. 3612

At the request of Mr. Cornyn, the name of the Senator from Alaska (Ms. Murkowski) was added as a cosponsor of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3636

At the request of Ms. Harris, the names of the Senator from Connecticut (Mr. Murphy) and the Senator from Texas (Mr. Cornyn) were added as cosponsors of S. 3614, a bill to authorize the Administrator of the Federal Emergency Management Agency to approve State and local plans to partner with small and mid-size restaurants and nonprofit organizations to provide nutritious meals to individuals in need, to waive certain matching fund requirements, and for other purposes.

S. 3636

At the request of Mr. Graham, the names of the Senator from North Carolina (Mr. Tillis) and the Senator from Delaware (Mr. Coons) were added as cosponsors of S. 3636, a bill to transfer the United States Secret Service to the Department of the Treasury.

S. 3698

At the request of Mr. Peters, the name of the Senator from California (Ms. Harris) was added as a cosponsor of S. 3614, a bill to establish an Office of Equal Rights and Community Inclusion at the Federal Emergency Management Agency, and for other purposes.

S. 3612

At the request of Mr. Menendez, the name of the Senator from Indiana (Mr. Young) was added as a cosponsor of S. 3614, a bill to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II.

S. 3612

At the request of Mr. Benning, the name of the Senator from Connecticut (Mr. Murphy) was added as a cosponsor of S. 3814, a bill to establish a loan program for businesses affected by COVID-19 and to extend the loan forgiveness period for paycheck protection program loans made to the hardest hit businesses, and for other purposes.

S. 3635

At the request of Mrs. Feinstein, the name of the Senator from Ohio (Mr. Brown) was added as a cosponsor of S. 3815, a bill to permit the search and retention of certain records with respect to conducting criminal background checks, and for other purposes.

S. 4061

At the request of Ms. Harris, the names of the Senator from Minnesota (Ms. Klobuchar) and the Senator from Oregon (Mr. Wyden) were added as cosponsors of S. 4018, a bill to modify the deadlines for completing the 2020 decennial census of population and related tabulations, and for other purposes.

S. 4071

At the request of Mr. Rubio, the names of the Senator from Texas (Mr. Cornyn) and the Senator from Alaska (Ms. Murkowski) were added as cosponsors of S. 4071, a bill to amend the Internal Revenue Code of 1986 to adjust identification number requirements for taxpayers filing joint returns to receive Economic Impact Payments.

S. 4078

At the request of Mr. Menendez, the name of the Senator from California (Ms. Harris) was added as a cosponsor of S. 4112, a bill to support education and child care during the COVID-19 public health emergency, and for other purposes.

S. 4112

At the request of Ms. Hirono, her name was added as a cosponsor of S. 4112, a bill to support education and child care during the COVID-19 public health emergency, and for other purposes.

S. 4112

At the request of Mr. Wicker, the name of the Senator from Oklahoma (Mr. Inhoffe) was added as a cosponsor of S. 4299, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 4150

At the request of Mr. Reed, the name of the Senator from North Dakota (Mr. Cramer) was added as a cosponsor of S. 4150, a bill to require the Secretary of the Treasury to provide assistance to certain providers of transportation services affected by the novel coronavirus.

S. 4252

At the request of Mr. Wyden, the name of the Senator from Rhode Island (Mr. Shaheen) was added as a cosponsor of S. 4252, a bill to provide funding for States to improve their unemployment compensation programs, and for other purposes.

S. 4253

At the request of Mr. Wyden, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 4253, a bill to provide funding for States to improve their unemployment insurance technology systems, and for other purposes.

S. 4299

At the request of Mr. Blunt, the name of the Senator from Montana (Mr. Daines) was added as a cosponsor of S. 4299, a bill to provide grants for tourism and events support and promotion in areas affected by the Coronavirus Disease 2019 (COVID-19), and for other purposes.

S. 4317

At the request of Mr. Cornyn, the names of the Senator from North Dakota (Mr. Cramer), the Senator from
Senator from Oklahoma (Mr. INHOFE) and the Senator from California (Mr. HEINRICH) and the Senator from Arkansas (Mr. CORTEN) were added as cosponsors of S. 4317, a bill to lessen the burdens on interstate commerce by discouraging insubstantial lawsuits relating to COVID–19 while preserving the ability of individuals and businesses that have suffered real injury to obtain complete relief.

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 4339, a bill to provide, manufacture, and distribute high quality face masks for every individual in the United States during the COVID–19 emergency using the Defense Production Act and other means.

At the request of Mr. VAN HOLLEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 4350, a bill to provide immediate relief for patients from certain medical debt collection efforts starting immediately after the COVID–19 public health emergency.

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4352, a bill to provide for the water quality restoration of the Tijuana River and the New River, and for other purposes.

At the request of Mr. BURR, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 4356, a bill to reauthorize the Blue Ridge National Heritage Area, and for other purposes.

At the request of Ms. HARRIS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 4401, a bill to restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Intergency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes.

At the request of Mr. WYDEN, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4434, a bill to carry out a Civilian Conservation Corps program, provide supplemental appropriations for certain conservation activities, to provide for increased reforestation across the United States, to provide incentives for agricultural producers to carry out climate stewardship practices, and for other purposes.

At the request of Mr. TOOMEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 509, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 658, a resolution calling for a free, fair, and transparent presidential election in Belarus taking place on August 9, 2020, including the unimpeded participation of all presidential candidates.

At the request of Mr. TOOMEY, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 663, a resolution supporting mask-wearing as an important measure to limit the spread of the Coronavirus Disease 2019 (COVID–19).

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. ROUNDS):

S. 4444. A bill to require installation of a network of soil moisture and snowpack monitoring in the Upper Missouri River Basin and to establish a pilot program for the acquisition and use of data generated by that network, and for other purposes; to the Committee on Environment and Public Works.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4444

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Missouri River Basin Drought and Snowpack Monitoring Act".

SEC. 2. SOIL MOISTURE AND SNOWPACK MONITORING.

(a) INSTALLATION OF NETWORK.—

(1) IN GENERAL.—In accordance with the activities required under section 4003(a) of the Water Resources Reform and Development Act of 2014 (22 U.S.C. 2807), and to support the goals of the Weather Research and Forecasting Innovation Act of 2017 (Public Law 115–25; 131 Stat. 91) and the National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115–423; 132 Stat. 5454), the Secretary of the Army (referred to in this section as the "Secretary") shall continue installation of a network of soil moisture and snowpack monitoring stations and modification of existing stations in the Upper Missouri River Basin.

(2) REQUIREMENTS.—In carrying out installation and modification activities under paragraph (1), the Secretary:

(A) may continue to enter into agreements with State mesonet programs for purposes of installing new stations or modifying existing stations;

(B) shall transfer ownership and all responsibilities for operation and maintenance of new stations to the respective State mesonet program for the State in which the monitoring station is located or completion of installation of the station; and

(C) shall establish, in consultation with the Administrator, requirements and standards for the installation of new stations and modification of existing stations to ensure seamless data integration into—

(i) the National Mesonet Program;

(ii) the National Coordinated Soil Moisture Network; and

(iii) other relevant networks.

(b) SOIL MOISTURE AND SNOWPACK MONITORING PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall establish a pilot program for the acquisition and use of data generated by the network described in subsection (a) that—

(i) are similar to the agreements required as of the date of the enactment of this Act with States under the National Mesonet Program; and

(ii) allow for sharing of data with other Federal agencies and with institutions engaged in federally supported research, including the United States Drought Monitor, as appropriate and feasible;

(B) in coordination with the Secretary, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of Reclamation, gather data from the operation of the network to inform ongoing efforts of the National Oceanic and Atmospheric Administration in support of—

(i) the National Integrated Drought Information System, including the National Coordinated Soil Moisture Monitoring Network;

(ii) the United States Drought Monitor; and

(iii) the National Water Model and other relevant national modeling efforts;

(iv) validation, verification, and calibration of satellite-based, in situ, and other remote sensing activities and output products;

(v) flood risk and water resources monitoring initiatives by the Secretary and the Commissioner of Reclamation; and

(vi) any other programs or initiatives the Administrator considers appropriate; and

(C) at the request of State mesonet programs and as the Administrator considers appropriate, provide technical assistance to such programs under the pilot program under paragraph (1) to ensure proper data requirements; and

(D) ensure an appropriate mechanism for quality control and quality assurance is employed for the data acquired under the pilot program, such as the Program for Geophysical Assimilation Data Ingest System.

(3) STUDY REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall initiate a study of the pilot program required by paragraph (1)
to evaluate the data generated by the network described in subsection (a) and the applications of that data to programs and initiatives described in paragraph (2)(B).

(B) Audits.-The Administrator shall conduct an audit under subsection (a) with respect to a fiscal year only if the head of the Appropriations Committee of the House of Representatives and the Senate Committee on Appropriations has recommended the audit in the manner required by subparagraph (A) shall include an assessment of—

(i) the contribution of the soil moisture, snowpack, and other relevant data generated by the network described in subsection (a) to weather, seasonal, and seasonal, and climate forecasting products on the local, regional, and national levels;

(ii) the enhancements made to the National Integrated Drought Information System, the National Water Model, and the United States Drought Monitor, and other relevant national modeling efforts, using data and derived data products generated by the network;

(iii) the contribution of data generated by the network to remote sensing products and approaches;

(iv) the viability of the ownership and operational structure of the network; and

(v) any other matters the Administrator considers appropriate, in coordination with the Secretary, the Chief of the National Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of Reclamation.

4. Vermont.-Not later than 4 years after the date of the enactment of this Act, the Administrator shall submit to Congress an audit of the data generated by the network described in subsection (a) with respect to a fiscal year only if the heads of committees of the Congress having jurisdiction over Reclamation have recommended the audit in the manner required by subparagraph (A). The audit set forth the findings of the study required by paragraph (3); and

(B) making recommendations based on those findings to improve weather, seasonal, and climate monitoring nationally.

5. Government Accountability Office.—

(A) In general.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit to evaluate that report and determine whether—

(i) the Administrator, in conducting the pilot program under paragraph (1), has utilized the relevant data generated by the network described in subsection (a) in the manner most beneficial to the programs and initiatives described in paragraph (2)(A); and

(ii) the acquisition agreements entered into under paragraph (2)(A) with State mesonet programs fully comply with the requirements of paragraph (1).

(B) Report required.—Not later than 270 days after initiating the audit required by subparagraph (A), the Comptroller General shall submit to Congress a report setting forth the findings of the audit.

(C) Authorization of appropriations.—

(1) IN GENERAL.—There are authorized to be appropriated—

(A) to supplement funds already authorized for installation of a network of new monitoring stations and modification of existing monitoring stations in the Upper Missouri River Basin under subsection (a), $7,000,000 for each of fiscal years 2021 through 2025; and

(B) to the Administrator to acquire under subsection (b) data collected by the network described in subsection (a) on—

(i) soil moisture for fiscal year 2021;

(ii) snowpack for fiscal year 2022;

(iii) $1,400,000 for fiscal year 2023; and

(iv) $5,900,000 for fiscal year 2024; and

(v) $7,900,000 for fiscal year 2025.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 2 percent of the amounts authorized to be appropriated under paragraph (1)(B) may be used by the Administrator for administrative expenses.

By Mr. DURBIN.]

S. 4450. A bill to establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4450.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bronzeville-Black Metropolis National Heritage Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term “Heritage Area” means the Bronzeville-Black Metropolis National Heritage Area established by section 3(a).

(2) LOCAL COORDINATING ENTITY.—The term “local coordinating entity” means the local coordinating entity for the Heritage Area designated by section 3(a).

(3) MANAGEMENT PLAN.—The term “management plan” means the plan developed by the local coordinating entity under section 3(a).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of Illinois.

SEC. 3. BRONZEVILLE-BLACK METROPOLIS NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Bronzeville-Black Metropolis National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall consist of the region in the city of Chicago, Illinois, bounded as follows:

(1) 18th Street on the North to 22nd Street on the South, from Lake Michigan on the East to Wentworth Avenue on the West.

(2) 22nd Street on the North to 35th Street on the South, from Lake Michigan on the East to the Dan Ryan Expressway on the West.

(3) 35th Street on the North to 7th Street on the South, from Lake Michigan on the East to the Dan Ryan Expressway on the West.

(4) 7th Street on the North to 47th Street on the South, from Lake Michigan on the East to the Big Rock Road (Stewart Avenue) on the West.

(5) 47th Street on the North to 55th Street on the South, from Cottage Grove Avenue on the East to the Dan Ryan Expressway on the West.

(6) 55th Street on the North to 67th Street on the South, from Cottage Grove Avenue on the West to Cottage Grove Avenue (South Chicago Avenue) on the East.

(7) 67th Street on the North to 71st Street on the South, from Cottage Grove Avenue on the West to the Metra Railroad tracks on the East.

SEC. 4. DESIGNATION OF LOCAL COORDINATING ENTITY.

(a) LOCAL COORDINATING ENTITY.—The Black Metropolis National Heritage Area Commission shall be the local coordinating entity for the Heritage Area.

(b) AUTHORITY OF LOCAL COORDINATING ENTITY.—(1) The local coordinating entity may, for purposes of preparing and implementing the management plan, use Federal funds made available under this Act—

(i) to prepare reports, studies, interpretive exhibits, and educational opportunities for residents and visitors in the Heritage Area;

(ii) to enter into cooperative agreements with the State, political subdivisions of the State, nonprofit organizations, and other persons; and

(iii) to obtain funds or services from any source, including funds and services provided under any other Federal program or law; and

(2) to contract for goods and services.

(c) DUTIES OF LOCAL COORDINATING ENTITY.—To further the purposes of the Heritage Area, the local coordinating entity shall—

(1) prepare a management plan for the Heritage Area in accordance with section 5;

(2) give priority to the implementation of actions, goals, and strategies set forth in the management plan, including assisting units of government and other persons in—

(A) carrying out programs and projects that recognize and protect important resource values in the Heritage Area;

(B) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(C) establishing and maintaining interpretive exhibits in the Heritage Area;

(D) developing heritage-based recreational and educational opportunities for residents and visitors in the Heritage Area;

(E) increasing public awareness of and appreciation for the natural, historic, and cultural resources of the Heritage Area;

(F) restoring historic buildings that are—

(i) located in the Heritage Area; and

(ii) related to the themes of the Heritage Area;

(G) installing throughout the Heritage Area clear, consistent, and appropriate signs identifying public access points and sites of interest;

(3) consider the interests of diverse units of government, businesses, tourism officials, private property owners, and nonprofit groups within the Heritage Area when developing and implementing the management plan;

(4) conduct public meetings at least semi-annually regarding the development and implementation of the management plan; and

(5) for any fiscal year for which Federal funds are received under this Act—

(A) submit to the Secretary an annual report that describes—

(i) the accomplishments of the local coordinating entity;

(ii) the expenses and income of the local coordinating entity; and

(iii) the entities to which the local coordinating entity made any grants;

(B) make available to the Secretary all records relating to the expenditure of the Federal funds and any matching funds; and

(C) require, with respect to all agreements and contracts relating to the expenditure of the Federal funds by other organizations, that the receiving organizations make available to the Secretary all records relating to the expenditure of the Federal funds.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to carry out this Act, the local coordinating entity shall prepare and submit to the Secretary a management plan for the Heritage Area;

(b) CONTENTS.—The management plan for the Heritage Area shall—

Mr. DURBIN. Mr. President, I am unable to continue.
(1) include comprehensive policies, strategies, and recommendations for the conservation, funding, management, and development of the Heritage Area;

(2) take into consideration existing State and local plans;

(3) specify the existing and potential sources of funding to protect, manage, and develop the Heritage Area;

(4) include an inventory of the natural, historic, cultural, educational, scenic, and recreational resources of the Heritage Area relating to the themes of the Heritage Area that should be preserved, restored, managed, developed, or maintained; and

(5) analysis of, and recommendations for, ways in which Federal, State, and local programs, may best be coordinated to further the purposes of this Act, including recommendations for the role of the National Park Service in the Heritage Area.

(c) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date on which funds are first made available to carry out this Act, the local coordinating entity may not receive additional funding under this Act until the date on which the Secretary receives the proposed management plan.

(d) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date on which the local coordinating entity submits the management plan to the Secretary, the Secretary shall approve or disapprove the proposed management plan.

(2) CONSIDERATIONS.—In determining whether to approve or disapprove the management plan, the Secretary shall consider whether:

(A) the local coordinating entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(B) the local coordinating entity has provided adequate opportunities (including public meetings) for public and governmental involvement in the preparation of the management plan;

(C) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historic, and cultural resources of the Heritage Area; and

(D) the management plan is supported by the appropriate State and local officials, the cooperation of which is needed to ensure the effective implementation of the State and local aspects of the management plan.

(3) DISAPPROVAL AND REVISIONS.—

(A) IN GENERAL.—If the Secretary disapproves a proposed management plan, the Secretary shall—

(i) advise the local coordinating entity, in writing, of the reasons for the disapproval; and

(ii) make recommendations for revision of the proposed management plan.

(B) APPROVAL OR DISAPPROVAL.—The Secretary shall approve or disapprove a revised management plan not later than 180 days after the date on which the revised management plan is submitted to the Secretary.

(e) APPROVAL OF AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall review and approve or disapprove substantial amendments to the management plan in accordance with subsection (d).

(2) FUNDING.—Funds appropriated under this Act may not be expended to implement any changes made by an amendment to the management plan until the Secretary approves the amendment.

SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide financial assistance under any other law.

(b) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the extent practicable.

(c) OTHER FEDERAL AGENCIES.—Nothing in this Act modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency; or modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(2) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters or modifies any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, or local agency, or conveys any land use or other regulatory authority to the local coordinating entity;

(4) authorizes or implies the reservation or appropriation of water or water rights;

(5) creates any liability, or affects any liability under any other law, of any private property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(6) authorizes any liability, or affects any liability under any other law, of any private property owner with respect to any person injured by the unauthorized entry of the Heritage Area;

(7) authorizes any liability, or affects any liability under any other law, of any property owner for injuries on the private property; and

(8) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency; or modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 8. EVALUATION AND REPORT.

(a) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) EVALUATION.—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of this Act for the Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the Heritage Area;

(2) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(c) REPORT.—

(1) IN GENERAL.—Based on the evaluation conducted under subsection (a)(1), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(2) REQUIRED ANALYSIS.—If the report prepared under paragraph (1) requires that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(A) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(B) the appropriate time period necessary to achieve the recommended reduction or elimination.

(3) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be authorized to be appropriated for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using funds made available under this Act shall not be more than 50 percent.

SEC. 10. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide financial assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

By Ms. COLLINS (for herself, Mr. KING, and Mr. SULLIVAN):

S. 4460. A bill to authorize the Secretary of Veterans Affairs to waive certain eligibility requirements for a veteran to receive per diem payments for domiciliary care at a State home, and for other purposes; to the Committee on Veterans' Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce the State Veterans Homes Domiciliary Care Flexibility Act. This bill would address a current gap in care for veterans in Maine living with early-stage dementia. Specifically, it would ensure that the VA can work with certain eligible veterans to allow veterans with early-stage dementia to be cared for in State veterans' homes when it is in the best interest of the veteran.

In Maine, we lead the way in caring for our veterans. For more than 40 years, Maine Veterans’ Homes has been a vital part of our State’s commitment to our heroes. My father, Donald Collins, a decorated World War II veteran, was cared for by the Veterans’ Home in Lincolnville at the end of his life, so I know firsthand the compassion and care that Maine Veterans’ Homes provide. In the land of the free, Maine Veterans’ Homes help ensure that there will always be a home for the brave when they need care.

As chairman of the Senate Aging Committee and representing the oldest State by median age in the country, I have championed policies to help individuals living with dementia, such as Alzheimer’s disease, as well as America’s hidden heroes—our military and veteran caregivers. I cofounded the Senate Alzheimer’s Task Force in recognition of the devastating impact
that disease has an individuals and families.

Our Nation owes America's veterans our deepest gratitude. We must honor our commitment to veterans by continuing to support their needs, including the veterans who are living with early-stage dementia.

The State Veterans Homes Domiciliary Care Flexibility Act would require VA to implement a waiver authority, allowing the VA to grant domiciliary care per diem payments for veterans who meet at least half of the VA's current eligibility requirements and if such a waiver would be in veterans' best interest. This will provide the flexibility to ensure this vulnerable group of veterans do not fail through the cracks and that VA can address the growing needs for assistance for these patients.

Mr. President, this legislation has the support of Melissa Jackson, the president of the National Association of State Veterans Homes, as well as Kelley Kash, CEO of Maine Veterans' Homes, and I urge all of my colleagues to join me in honoring and supporting some of our Nation's most vulnerable veterans by supporting its passage.

SENNATE RESOLUTION 667—CALLING FOR THE IMMEDIATE RELEASE OF TREVOR REED, A UNITED STATES CITIZEN WHO WAS UNJUSTLY SENTENCED TO 9 YEARS IN A RUSSIAN PRISON

Mr. CORNYN submitted the following resolution; which was referred to the Committee on Foreign Relations:

WHEREAS United States citizen Trevor Reed is a resident of Granbury, Texas, and a United States Marine Corps veteran;
WHEREAS Trevor Reed traveled to Moscow to visit his girlfriend on May 16, 2019;
WHEREAS Moscow’s Police Service detained Trevor Reed on August 16, 2019;
WHEREAS Trevor Reed was accused of grabbing the arm of the police officer driving the vehicle and elbowing another officer while en route to the police station, causing the vehicle to swerve and therefore endangering the lives of the police officers;
WHEREAS Trevor Reed was not given a medical evaluation until 10 days following his arrest;
WHEREAS Trevor Reed’s defense team presented video evidence to the courts that disproves the police officers’ statements of supposed endangerment and wrongdoing;
WHEREAS Trevor Reed’s defense team was denied access to additional video evidence from the police vehicle and police station that had the potential to prove his innocence;
WHEREAS the police officers claimed emotional and physical damages, but did not sustain any visible injury, or claim any time missed from work;
WHEREAS the Constitutional Supreme Court of the Russian Federation and the Second Court of Cassation of General Jurisdiction concurred that the Government of the Russian Federation was violated in the way that Trevor Reed’s bail was revoked;

SUBMITTED RESOLUTIONS

WHEREAS the United States Embassy in Moscow has filed complaints with the Russian Foreign Ministry regarding denial of communications with Trevor Reed;
WHEREAS in the trial, the defense counsel presented 59 minutes of traffic camera video that showed the police car—
(1) did not change direction or leave its lane;
(2) did not swerve; and
(3) did not stop or slow down;
WHEREAS on July 30, 2020, Golovinsky District Court of Moscow read a verdict that dismissed all defense evidence, witnesses, and government experts and included information from the investigator’s case files that were not discussed or read into the court files;
WHEREAS the judge sentenced Trevor Reed to 9 years in a prison camp even though no person had previously been sentenced to more than 8 years in prison for a level II crime;
WHEREAS the judge also ordered Trevor Reed to pay 100,000 rubles to each police officer for moral and physical injuries;
WHEREAS Trevor Reed had already been detained in prison for 1 year at the time of the judge’s verdict;
WHEREAS, the United States Ambassador to Russia, John Sullivan, upon Trevor’s sentencing, stated•s case files and the evidence presented against Mr. Reed were •so preposterous that they provoked laughter in the courtroom•, the conviction was •so baseless• and •ridiculous•, and •justice was not even considered•;
NOW, therefore, be it
Resolved, That the Senate—
(1) expresses support for Trevor Reed, Paul Whelan, and all prisoners unjustly imprisoned in the Russian Federation;
(2) condemns the practice of politically motivated imprisonment in the Russian Federation, which violates the commitments of the Russian Federation to international obligations with respect to human rights and the rule of law;
(3) urges the United States Government, in all its interactions with the Government of the Russian Federation, to raise the case of Trevor Reed and all other prisoners arrested for political motivations;
(4) calls on the Government of the Russian Federation to immediately release Trevor Reed and all other prisoners arrested for political motivations;
(5) urges the Government of the Russian Federation to provide unrestricted consular access to Trevor Reed while he remains in detention;
(6) calls on the Government of the Russian Federation—
(A) to provide Trevor Reed any necessary medical treatment and personal protective equipment;
(B) to notify the United States Ambassador to Russia of any medical problems or complaints that arise during his detention; and
(C) to provide the United States Embassy in Moscow with full access to all of Trevor Reed’s medical records;
(7) urges the Government of the Russian Federation to respect Trevor Reed’s universally recognized human rights; and
(8) expresses support to the family of Trevor Reed and commitment to bringing Trevor Reed home.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2588. Ms. MCSALLY (for herself, Mr. ROUNDS, Mrs. CAPITO, Mr. HAYLEY, Mr. CONRAD, Mr. YOUNG, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2589. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2590. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2591. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2592. Ms. ERNST (for herself, Mr. ALIXANDER, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2593. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2594. Ms. ERNST (for herself and Mr. YOUNG) submitted an amendment intended
to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2587. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2588. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2589. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2590. Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

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SA 2592. Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2593. Ms. COLLINS (for herself, Mrs. FISCHER of New York, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2594. Mr. MORAN (for himself and Mr. TSSTRI) proposed an amendment to the bill S. 785, to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

TEXT OF AMENDMENTS

SA 2568. Ms. McSALLAY (for herself, Mr. ROUNDS, Mrs. CAPITO, Mr. HAWLEY, Mr. COTTON, Mrs. BLACKBURN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC.

RESPONSIBILITY OF FOREIGN STATES FOR RECKLESS ACTIONS OR OMISSIONS IN CONJUNCTION WITH THE COVID–19 GLOBAL PANDEMIC IN THE UNITED STATES.

(a) RESPONSIBILITY.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605B the following:

`1605C. Responsibility of foreign states for reckless actions or omissions causing the COVID–19 global pandemic in the United States

(a) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for death or physical or economic injury to person, property, or business by reason of any reckless action or omission (including a conscious disregard of the need to report information promptly or deliberately withholding relevant information) of a foreign state, and not to obtain jurisdiction; or may ultimately be entered against the foreign state, and not to obtain jurisdiction; or

(b) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (a) to the extent that constitutes mere negligence.

(c) JURISDICTION.—

(1) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under subsection (a).

(2) ADDITIONAL AUTHORITY TO ISSUE ORDERS.—In addition to authority already granted by other laws, the courts of the United States shall have jurisdiction over parties as to whom a stay of claims is sought.

(d) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under subsection (a) for the purpose of seeking a stay of the civil action, in whole or in part.

(e) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought. In exercising its discretion under this subsection, the court shall balance the interests of the United States with the interests of the plaintiffs in a timely review of their claims.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(1) IN GENERAL.—The Attorney General may petition the court for an extension for the stay for additional periods not to exceed 180 days.

(2) RECERTIFICATION.—A court may grant an extension under subparagraph (A) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought. In choosing whether to grant an extension, the court shall balance the interests of the United States with the interests of the plaintiffs in a timely review of their claims.

(f) TIME LIMITATION ON THE COMMENCEMENT OF A CIVIL ACTION.—Nothing in this section shall be construed to prevent a State from exercising its powers under State law.

(g) RECOGNITION.—In any other provision of law, a civil action arising under subsection (d) may be commenced up to 20 years after the date of enactment of this Act.

(h) TECHNICAL AND CONFORMING 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. Responsibility of foreign states for reckless actions or omissions causing the COVID–19 global pandemic in the United States."

SA 2569. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

1605C. Responsibility of foreign states for reckless actions or omissions causing the COVID–19 global pandemic in the United States.
At the appropriate place, insert the following:

**(a) Definitions.—**In this section—
(i) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively; and
(ii) the eligible entity shall not be required to show that the eligible entity is unable to obtain credit elsewhere; and
(iii) no collateral shall be required for the loan.

**(b) Repayment.—**Any payments on a loan made to an eligible entity under paragraph (1) are deferred until June 30, 2022, and interest shall not begin to accrue until such date.

**(c) Application.—**
(A) IN GENERAL.—Not later than 7 days after the date of enactment of this Act, the Administrator shall begin to accept applications for a loan under paragraph (1).
(B) DEADLINE.—An eligible entity desiring a loan under this subsection shall submit to the Administrator an application not later than December 31, 2020.

**(d) Approval and Ability to Repay.—**With respect to an applicant for a loan made under paragraph (1), the Administrator may—
(i) approve the applicant based on the credit score or personal guarantee of the applicant; or
(ii) use alternative appropriate methods to determine the applicant’s ability to repay.

**(e) Use of Funds.—**A recipient of a loan made under paragraph (1), or any eligible entity that received a loan under subsection (a)(3)(B)(i), provided that such damage or destruction is not compensated for by insurance, a grant from a State or local government, or otherwise.

**(f) Loan Forgiveness.—**
(A) IN GENERAL.—An eligible entity that received a loan made under paragraph (1), or any eligible entity that received a loan under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) before the date of enactment of this Act related to the civil unrest described in subsection (a)(3)(B)(i), provided that such damage or destruction is not compensated for by insurance, a grant from a State or local government, or otherwise.

**(g) Amount.—**The amount of an advance provided to an eligible entity under this subsection shall be the lesser of—
(A) 20 percent of the amount requested by the eligible entity; or
(B) $10,000.

**(h) Use of Funds.—**An advance received under this subsection shall only be used for the allowable uses for a loan under subsection (b)(1).

**(i) Repayment.—**
(A) IN GENERAL.—Except as provided under paragraph (b), an eligible entity that receives an advance under this subsection shall not be required to repay any amounts of the advance.

**(j) Return of Advance.—**If an applicant for a loan under subsection (b)(1) is later determined to be ineligible for the loan because the applicant does not meet the requirements to be an eligible entity described in subsection (a)(3), the applicant shall return to the Administrator any advance amount provided under this subsection—
(i) not later than 90 days after receiving notice of the determination of ineligibility; or
(ii) if the Administrator determines that the applicant submitted an application in bad faith, not later than 30 days after receiving notice of that determination, plus interest in an amount equal to 4.75 percent of the advance.

**(k) Resources and Services in Languages Other Than English.—**The Administrator shall provide the resources and services made available by the Administration relating to the loans and grants available under this section to eligible entities in the 10 most commonly spoken languages, other than English, in the United States, which shall include Mandarin, Cantonese, Japanese, and Korean.

**(l) Regulations.—**The Administrator shall issue guidance and rules to carry out this section.

**(m) Direct Appropriation.—**
(1) IN GENERAL.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, for an additional amount for “Small Business Administration—HEAL Act”, $80,000,000, to remain available until September 30, 2021, for carrying out this section.

**(n) Emergency Designation.—**
(A) IN GENERAL.—The amounts provided under this subsection are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

**(o) Designation in Senate.—**In the Senate, this subsection is designated as an emergency requirement pursuant to section 412(a)(2) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2019.

**SA 2570. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:**

At the appropriate place, insert the following:

**(a) Definitions.—**In this section—

At the appropriate place, insert the following:

**(SEC. ... FORGIVABLE BUSINESS PHYSICAL DISASTER LOANS FOR DAMAGE DUE TO CIVIL UNREST.**

**(a) Definitions.—**In this section—

At the appropriate place, insert the following:

**(SEC. ... FORGIVABLE BUSINESS PHYSICAL DISASTER LOANS FOR DAMAGE DUE TO CIVIL UNREST.**

**(a) Definitions.—**In this section—

At the appropriate place, insert the following:

**(SEC. ... FORGIVABLE BUSINESS PHYSICAL DISASTER LOANS FOR DAMAGE DUE TO CIVIL UNREST.**

**(a) Definitions.—**In this section—

At the appropriate place, insert the following:

**(SEC. ... FORGIVABLE BUSINESS PHYSICAL DISASTER LOANS FOR DAMAGE DUE TO CIVIL UNREST.**

**(a) Definitions.—**In this section—
the terms ‘Administration’ and ‘Administrator’ mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ‘covered period’ means the period beginning on May 26, 2020 and ending on July 1, 2020; and

(3) the term ‘eligible entity’ means a business concern—

(A) with average annual receipts (as defined in section 121.104 of title 13, Code of Federal Regulations, or any successor regulation, which the Administrator shall not be more than $2,000,000; and

(B) that—

(i) is located within an area for which the Administrator has declared a disaster in accordance with section 123.3(a)(3) of title 13, Code of Federal Regulations, or any successor regulation, with respect to civil unrest that began on May 26, 2020 in Minneapolis, Minnesota and spread across the United States; and

(ii) incurred damage to real or personal property in the business concern during the covered period as a result of the civil unrest described in clause (i).

(b) Business physical disaster loans.—

(1) In general.—Except as otherwise provided in this subsection, an eligible entity shall be eligible for a loan made by the Administrator under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) under the same terms, conditions, and processes as a loan made under such section to repair, rehabilitate, or replace property, real or personal, of the eligible entity that was damaged or destroyed during the covered period as a result of the civil unrest described in subsection (a)(3)(B)(i).

(2) Disaster declaration.—With respect to the disaster declaration described in subsection (a)(3)(B)(i) for a loan made under paragraph (1), the requirement under section 123.3(a)(3) of title 13, Code of Federal Regulations, or any successor regulation, that 25 percent or more of the work force in the area would be unemployed for not fewer than 90 days shall not apply.

(3) Loan amount.—

(A) In general.—The amount of a loan made under paragraph (1) shall be equal to 100 percent of the amount required to repair, rehabilitate, or replace property, real or personal, of the entity that—

(i) was damaged or destroyed during the covered period as a result of the civil unrest described in subsection (a)(3)(B)(i); and

(ii) is not compensated for by—

(I) insurance;

(II) a grant from a State or local government; or

(III) any other means.

(B) Deduction of advance amount.—The amount of any advance received by an eligible entity under subsection (c) shall be deducted from the loan amount for the eligible entity under subparagraph (A).

(4) Terms; credit elsewhere.—

(A) In general.—With respect to a loan made to an eligible entity under paragraph (1)—

(i) the Administrator shall waive—

(I) any rules related the personal guaranty on loans of not more than $200,000 during the covered period for all applicants; and

(II) any requirement that an applicant needs to be in business for the 1-year period before the civil unrest described in subsection (a)(3)(B)(i), except that no waiver may be made for an eligible entity that was not in operation as of December 31, 2019;

(ii) the Administrator shall not be required to show that the eligible entity is unable to obtain credit elsewhere; and

(iii) no collateral shall be required for the loan.

(B) Repayment.—Any payments on a loan made to an eligible entity under paragraph (1) are deferred until June 30, 2022, and interest shall not begin to accrue until such date.

(5) Application.—

(A) In general.—Not later than 7 days after the date on which the Administrator shall begin to accept applications for a loan under paragraph (1), the Administrator shall begin to accept applications for a loan under paragraph (1).

(B) Deadline.—An eligible entity desiring a loan under paragraph (1) shall submit an application to the Administrator an application not later than December 31, 2020.

(C) Approval and ability to repay.—With respect to an applicant for a loan made under paragraph (1), the Administrator may—

(I) approve the applicant based on the credit score or personal guarantee of the applicant; or

(II) use alternative appropriate methods to determine the applicant’s ability to repay.

(6) Use of funds.—A recipient of a loan made under paragraph (1) shall use the loan proceeds to repair, rehabilitate, or replace property, real or personal, damaged or destroyed during the covered period as a result of the civil unrest described in subsection (a)(3)(B)(i), provided that such damage or destruction is for insurance, a grant from a State or local government, or otherwise.

(7) Loan forgiveness.—

(A) In general.—An eligible entity that received a loan made under paragraph (1), or an eligible entity that received a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(1)) before the date of enactment of this Act related to the civil unrest described in subsection (a)(3)(B)(i), shall be eligible for forgiveness of indebtedness equal to 75 percent of the loan amount if the eligible entity—

(I) submits to the Administrator documentation of sales for 2019 and 2020 and tax returns for 2019 and 2020; and

(ii) the eligible entity is in operation as of December 31, 2021.

(B) Amounts not forgiven.—Any remaining amount of a loan described in subparagraph (A) that is not forgiven under this paragraph as of December 31, 2021 shall—

(i) be considered a loan made under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)); and

(ii) bear an interest rate of 3.75 percent; and

(iii) have a 30-year term.

(8) Duplication.—An eligible entity that received an advance (as defined in section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(1)) before the date of enactment of this Act related to the civil unrest described in subsection (a)(3)(B)(i), shall be eligible for forgiveness of indebtedness equal to 75 percent of the loan amount if the eligible entity—

(A) submits to the Administrator documentation of sales for 2019 and 2020 and tax returns for 2019 and 2020; and

(B) the eligible entity is in operation as of December 31, 2021.

(C) Forgiveness grants.—

(1) In general.—An eligible entity that—

(A) is located within an area for which the Administrator determined a disaster in accordance with section 123.3(a)(3) of title 13, Code of Federal Regulations, or any successor regulation, that 25 percent or more of the work force in the area would be unemployed for not fewer than 90 days; and

(B) incurred damage to real or personal property in the business concern during the covered period as a result of the civil unrest described in subsection (a)(3)(B)(i); and

(C) began on May 26, 2020 in Minneapolis, Minnesota; and

(D) due to the civil unrest described in subsection (a)(3)(B)(i), the otherwise applicable requirements pursuant to section 1746 of title 28, and any other means.

(2) Application.—

(A) In general.—An eligible entity desiring a loan under paragraph (1) shall submit an application to the Administrator an application not later than December 31, 2020.

(B) Approval and ability to repay.—With respect to an applicant for a loan made under paragraph (1), the Administrator may—

(I) approve the applicant based on the credit score or personal guarantee of the applicant; or

(II) use alternative appropriate methods to determine the applicant’s ability to repay.

(3) Amount.—An advance received under this subsection shall only be used for the allowable uses for a loan under subsection (b)(1).

(4) Repayment.—

(A) In general.—Except as provided under subsection (b)(2), an advance received under this subsection shall be repaid if the proceeds of the advance are forgiven under this subsection or if the eligible entity fails to repay any amounts of the advance.

(B) Return of advance.—If an applicant for a loan under subsection (b)(1) is later determined to be ineligible for the loan because the applicant does not meet the requirements to be an eligible entity as described in subsection (a)(3), the applicant shall return to the Administrator any advance amount provided under this subsection—

(1) not later than 90 days after receiving notice of the determination of ineligibility; or

(2) if the Administrator determines that the applicant submitted the application in bad faith, not later than 30 days after receiving notice of that determination, plus interest in an amount equal to 4.75 percent of the advance.

(d) Resources and services other than English.—

(1) In general.—The Administrator shall provide the resources and services made available by the Administration relating to the loans and grants available under this section to eligible entities in the 10 most commonly spoken languages, other than English, in the United States, which shall include Mandarin, Cantonese, Japanese, and Korean.

(2) Regulations.—The Administrator shall issue guidance and rules to carry out this section.

(e) Direct Appropriation.—

(1) In general.—The amounts provided under this subsection are designated as an emergency requirement pursuant to section 602 of the Cranston-Ayotte Act, $80,000,000, to remain available until September 30, 2021, for carrying out this section.

(2) Emergency designation.—

(A) In general.—The amounts provided under this subsection are designated as an emergency requirement pursuant to section 421(h) of H.R. 6 (116th Congress), for the fiscal year ending September 30, 2018.

(B) Designation in Senate.—In the Senate, this subsection is designated as an emergency requirement pursuant to section 421(h) of H.R. 6 (116th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2571. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn wide-scale human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

In the appropriate place, insert the following:

SEC. 5. AMENDMENTS TO THE PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE.

(a) Appropriations.—

(1) In general.—The matter under the heading ‘Independent Agencies—Pandemic Response Accountability Committee’ in title V of division B of the CARES Act (Public Law 116-191) is amended by striking ‘funds provided in’ and inserting ‘covered funds as provided in section 50006 of’. The amounts repurposed in the matter under the heading

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“Independent Agencies—Response Accountability Committees” in title V of division B of the CARES Act (Public Law 116–136), as amended by paragraph (1), that were previously informed by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. (b) DEFINITIONS.—(1) FUND.—In this section, the term “Economic Recovery Fund” means—

SEC. 6. ESTABLISHMENT AND USE OF TRAIL STEWARDSHIP ACT FOR ECONOMIC RECOVERY FUND.

(a) Establishment.—There is established in the Treasury of the United States a fund, to be known as the “Trail Stewardship for Economic Recovery Fund” (referred to in this section as the “Fund”).

(b) Deposit into the Fund.—On the date of enactment of the CARES Act (Public Law 116–136), not otherwise obligated, the Secretary of the Treasury shall deposit into the Fund not otherwise obligated, the Secretary of the Treasury shall deposit into the Fund not otherwise obligated, the Secretary shall—

(c) Use of Fund.—(1) In General.—The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the “Secretary”), shall use amounts in the Fund to enter into cooperative agreements or contracts with an outfitter or guide to complete, on National Forest System land—

SA 2573. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McConnell to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8. SPECIAL INSPECTOR GENERAL FOR PANDEMIC RECOVERY.

(a) Establishment.—(1) In General.—The Special Inspector General for Pandemic Recovery shall be appointed by the President, acting through the Secretary of Health and Human Services, to serve as the Special Inspector General for Pandemic Recovery at any particular time, as designated by the Secretary.

(d) Submission of List of Projects to Congress.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for each fiscal year for which amounts made available under subsection (b) are expended, the Secretary shall submit to the Committee on Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a list of projects described in subparagraphs (A) and (B) of subsection (c)(1) that—

(1) meet the criteria described in this section; and

(2) have been, or are expected to be, funded from amounts made available under subsection (b).

SA 2574. Mr. CRAVER (for himself, Mr. COTTON, Mr. PERDUE, Mrs. CAPITO, Mr. MORAN, Mr. BARRASSO, Mr. TILLIS, Mr. BLUNT, Mr. BOOZMAN, Ms. McSALLY, Ms. MURKOWSKI, Mr. DAINES, Mrs. LOEFFLER, Mr. WICKER, Mr. ROSS, and Mr. CHAFICHRIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 9. LOAN FORGIVENESS FOR PPP LOANS UNDER $150,000.

Section 1106 of the CARES Act (15 U.S.C. 9053) is amended—

(1) in subsection (e), in the matter preceding paragraph (1), by striking “An eligible” and inserting “Except as provided in subsection (m), an eligible”; and

(2) in subsection (f), by inserting “or the information required under subsection (m), as applicable” after “subsection (e)”;

(3) striking subsection (h) and inserting the following:

(b) Hold Harmless.—(1) In General.—A lender may rely on all certifications and documentation described in paragraph (2) by an applicant or eligible recipient pursuant to any requirement in statute regarding covered loans, or rules or guidance promulgated to carry out any action relating to covered loans, from an applicant or eligible recipient attesting that the applicant or eligible recipient has accurately verified all documentation provided to the lender.

(2) No Enforcement Action.—With respect to a lender that relies on the certifications and documentation described in paragraph (1)—

(A) no enforcement or other action may be taken against the lender relating to loan origination, forgiveness, or guarantee based on such reliance, including claims under—

(i) the Small Business Act (15 U.S.C. 631 et seq.);

(ii) sections 3729 through 3733 of title 31, United States Code (commonly known as the ‘‘False Claims Act’’); and

(iii) the Financial Institutions Reform, Recovery, and Enforcement Act (Public Law 101–314); and


from the Civil Service Retirement and Disability Fund becomes employed in a position in the Office of the Special Inspector General for Pandemic Recovery—

whether the Office of the Special Inspector General for Pandemic Recovery shall—

(iii) pay periods beginning after the date of enactment of this paragraph.";
“(v) any other Federal, State, or other
criminal or civil law or regulation; and
“(B) the lender shall not be subject to any
penalties relating to loan origination, for-
gotten or guarantee based on such reli-
cance;”;
and
(4) by adding at the end the following:
“(m) FORGIVENESS FOR COVERED LOANS
Under SA 2499.—(1) IN GENERAL.—Notwithstanding a
subsection (e), with respect to a covered loan
made to an eligible recipient that is not more than $150,000, the covered loan amount
shall be forgiven under this section if the eli-
gible recipient submits to the lender a one-
page online or paper form, to be established by
the Administrator, after the date on which the
Federal Communications Commission
authorizes a small business broadband provider for the costs of carrying out a covered program.

SA 2576. Mr. Cramer submitted an
amendment intended to be proposed to
amendment SA 2499 proposed by Mr.
McConnell to the bill S. 178, to con-
demn gross human rights violations of
ethnic Turkic Muslims in Xinjiang, and
calling for an end to arbitrary deten-
tion, torture, and harassment of these
communities inside and outside China;
which was ordered to lie on the table;
as follows:
At the appropriate place, insert the fol-
lowing:

SEC. 2. KEEPING CRITICAL CONNECTIONS
EMERGENCY FUND.

(a) SHORT TITLE.—This section may be
cited as the “Keeping Critical Connections
Act of 2020”.

(b) DEFINITIONS.—In this section—
(1) the term ‘‘covered program’’ means a
program established by a small business
broadband provider, at any time
during the COVID-19 emergency period,
voluntary;
(2) a provider of a customer with free or
discounted broadband service, or free upgrades
of existing service to meet certain capacity
and speed needs, due specifically to the
presence of the COVID-19 emergency, or not later than 7 cus-
tomer who needs distance learning capabil-
ity; or
(3) a provider from disconnecting broadband
service provided to an existing customer due
without payment or underpayment if the cus-
tomer—
(i) has a household income, at the time of
the nonpayment or underpayment, that does
not exceed 135 percent of the Federal poverty
guidelines (as determined by the Secretary
of Health and Human Services).
(ii) is unable to make a full payment due
specifically to the economic impact of the
national emergency described in paragraph (b); and
(iii) provides sufficient documentation to
the provider to show that the customer
meets the criteria under clauses (i) and (ii); and
(iv) serves as personal protective equipment
for new business procedures related
to preventing COVID-19 transmission.

(b) LIMITATION.—The qualified fixed
expenses which may be taken into account
under subsection (a) by any eligible em-
ployer for any calendar quarter shall not ex-
ceed—
(A) in the case of any calendar quarter be-
inning in 2020, $500,000, and
(B) in the case of any calendar quarter be-
inning after 2020, $250,000.

(c) CREDIT LIMITED TO CERTAIN
EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any quarter shall not
exceed the applicable employment taxes for
such calendar quarter (reduced by any
credits allowed under subsections (e) and (f) of
section 3111 of such Code, sections 7001 and
7003 of the Families First Coronavirus Re-
sonance Act, and section 2301 of the CARES
Act, for such quarter) on the wages paid with
respect to all employees (within the meaning of
section 501(c) of the Internal Revenue Code
of 1986 and exempt from tax under section
501(a) of such Code, subparagraph (A)(i))
applicable to all operations of such organiza-
tion.

(d) QUALIFIED EXPENSES.—For purposes
of this section—
(A) the term ‘‘qualified expenses’’ means any
amount paid or incurred after February 1, 2020,
which was ordered to lie on the table; and
(B) the term ‘‘eligible employer’’ means an
employer—
(i) which was carrying on a trade or busi-
ness at any time during calendar quarter,
and
(ii) which has not more than 500 full-time
equivalent employees (within the meaning of
section 45R(d)(2) of the Internal Revenue
Code of 1986) for the taxable year.

(c) FUNDING.—
(1) IN GENERAL.—There is appropriated to the
Commission $2,000,000,000 for fiscal year
2020, to remain available until expended, to
reimburse small business broadband provi-
ders for the costs of carrying out a covered
program.

(2) RULES.—The Commission shall promul-
gate rules on an expedited basis, and without
regard to section 553 of title 5, United States
Code, regarding the provision of reimburse-
ments to small business broadband providers
under paragraph (1).
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SEC. 11. HAZARDOUS DUTy PAY FOR MEMBERS OF THE ARMED FORCES PERFORMING DUTY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019.

(a) In General.—The Secretary of the military department concerned shall pay hazardous duty pay under this section to a member of a regular or reserve component of the Armed Forces who—

(1) performs duty in response to the Coronavirus Disease 2019 (COVID–19); and

(2) is entitled to hazardous duty pay under section 204 of title 37, United States Code, or compensation under section 206 of such title, for the performance of such duty.

(b) Regulations.—Hazardous duty pay shall be payable under this section in accordance with regulations prescribed by the Secretary of Defense. Such regulations shall specify the duty in response to the Coronavirus Disease 2019 qualifying a member for payment of such pay under this section.

(c) Amount.—The amount of hazardous duty pay paid a member under this section shall be such amount per month, not less than $150 per month, as the Secretary of Defense shall specify in the regulations under subsection (b).

(d) Monthly Payment; No Proration.—

(1) Monthly Payment.—Hazardous duty pay under this section shall be paid on a monthly basis.

(2) No Proration.—Hazardous duty pay is payable to a member under this section for a month if the member performs any duty in that month qualifying the person for payment of such pay.

(e) Months for Which Payable.—Hazardous duty pay is payable under this section for qualifying duty performed in months occurring during the period—

(1) beginning on January 1, 2020; and

(2) ending on December 31, 2020.

(f) Construction With Other Pay.—Hazardous duty pay payable to a member under this section is in addition to the following:

(1) Any other pay and allowances to which the member is entitled by law.

(2) Any other hazardous duty pay to which the member is entitled under section 352 of title 37, United States Code, or any other provision of law, for duty that also constitutes qualifying duty for payment of such pay under this section.

(g) Sense of Senate.—It is the sense of the Senate that the Secretary of Defense should also authorize hazardous duty pay for members of the Armed Forces not under orders specific to the response to the Coronavirus Disease 2019 who provide—

(1) healthcare in a medical treatment facility for individuals infected with the Coronavirus Disease 2019; or

(2) technical or administrative support for the provision of healthcare as described in paragraph (1).

SA 2579. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:


(a) In General.—The Secretary of the military department concerned shall pay hazardous duty pay under this section to a member of a regular or reserve component of the Armed Forces who—

(1) performs duty in response to the Coronavirus Disease 2019 (COVID–19); and

(2) is entitled to hazardous duty pay under section 204 of title 37, United States Code, or compensation under section 206 of such title, for the performance of such duty.

(b) Regulations.—Hazardous duty pay shall be payable under this section in accordance with regulations prescribed by the Secretary of Defense. Such regulations shall specify the duty in response to the Coronavirus Disease 2019 qualifying a member for payment of such pay under this section.

(c) Amount.—The amount of hazardous duty pay paid a member under this section shall be such amount per month, not less than $150 per month, as the Secretary of Defense shall specify in the regulations under subsection (b).

(d) Monthly Payment; No Proration.—

(1) Monthly Payment.—Hazardous duty pay under this section shall be paid on a monthly basis.

(2) No Proration.—Hazardous duty pay is payable to a member under this section for a month if the member performs any duty in that month qualifying the person for payment of such pay.

(e) Months for Which Payable.—Hazardous duty pay is payable under this section for qualifying duty performed in months occurring during the period—

(1) beginning on January 1, 2020; and

(2) ending on December 31, 2020.

(f) Construction With Other Pay.—Hazardous duty pay payable to a member under this section is in addition to the following:

(1) Any other pay and allowances to which the member is entitled by law.

(2) Any other hazardous duty pay to which the member is entitled under section 352 of title 37, United States Code, or any other provision of law, for duty that also constitutes qualifying duty for payment of such pay under this section.

(g) Sense of Senate.—It is the sense of the Senate that the Secretary of Defense should also authorize hazardous duty pay for members of the Armed Forces not under orders specific to the response to the Coronavirus Disease 2019 who provide—

(1) healthcare in a medical treatment facility for individuals infected with the Coronavirus Disease 2019; or

(2) technical or administrative support for the provision of healthcare as described in paragraph (1).

SA 2579. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:


(a) In General.—The Secretary of the military department concerned shall pay hazardous duty pay under this section to a member of a regular or reserve component of the Armed Forces who—

(1) performs duty in response to the Coronavirus Disease 2019 (COVID–19); and

(2) is entitled to hazardous duty pay under section 204 of title 37, United States Code, or compensation under section 206 of such title, for the performance of such duty.

(b) Regulations.—Hazardous duty pay shall be payable under this section in accordance with regulations prescribed by the Secretary of Defense. Such regulations shall specify the duty in response to the Coronavirus Disease 2019 qualifying a member for payment of such pay under this section.

(c) Amount.—The amount of hazardous duty pay paid a member under this section shall be such amount per month, not less than $150 per month, as the Secretary of Defense shall specify in the regulations under subsection (b).

(d) Monthly Payment; No Proration.—

(1) Monthly Payment.—Hazardous duty pay under this section shall be paid on a monthly basis.

(2) No Proration.—Hazardous duty pay is payable to a member under this section for a month if the member performs any duty in that month qualifying the person for payment of such pay.

(e) Months for Which Payable.—Hazardous duty pay is payable under this section for qualifying duty performed in months occurring during the period—

(1) beginning on January 1, 2020; and

(2) ending on December 31, 2020.

(f) Construction With Other Pay.—Hazardous duty pay payable to a member under this section is in addition to the following:

(1) Any other pay and allowances to which the member is entitled by law.

(2) Any other hazardous duty pay to which the member is entitled under section 352 of title 37, United States Code, or any other provision of law, for duty that also constitutes qualifying duty for payment of such pay under this section.

(g) Sense of Senate.—It is the sense of the Senate that the Secretary of Defense should also authorize hazardous duty pay for members of the Armed Forces not under orders specific to the response to the Coronavirus Disease 2019 who provide—

(1) healthcare in a medical treatment facility for individuals infected with the Coronavirus Disease 2019; or

(2) technical or administrative support for the provision of healthcare as described in paragraph (1).
SA 2580. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. PROHIBITION ON PAYMENT OF PANDEMIC UNEMPLOYMENT ASSISTANCE AND FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION TO MILLIONAIRES.

(a) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Section 2102 of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116-136)) is amended—

(1) in clause (ii), by striking the period at the end and inserting semicolon; and

(2) in the following new subsection:

(1) in subsection (a)(3)(B)—

(A) a child care provider that—

(i) has a COVID–19 emergency plan in place;

(ii) is not experiencing a full or partial closure;

(iii) is operating at a reduced capacity;

(iv) is open to an expanded or additional workforce; and

(B) a child care provider that—

(i) has a COVID–19 emergency plan in place;

(ii) is not experiencing a full or partial closure;

(iii) is operating at a reduced capacity;

(iv) is open to an expanded or additional workforce; and

(v) has a plan to provide child care for children of essential workers;

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

(2) TERMINATION.—The amendments made by this section shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SA 2582. Ms. ERNST (for herself, Mr. ALEXANDER, Mr. BLUNT, Mr. YOUNG, and Mr. Daines) submitted an amendment intended to be proposed by amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

BACK TO WORK CHILD CARE GRANTS

For an additional amount for “Back to Work Child Care Grants”, $10,000,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for activities described as “Back to Work Child Care Grants” for qualified child care providers, for a transition period of not more than 9 months to assist in paying for fixed costs and increased operating expenses due to COVID-19, to assist providers to reenroll children in an environment that supports the health and safety of children and staff; Provided, That such amount is designated as the “Back to Work Child Care Grants” as for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. ... (a) PURPOSE.—The purpose of this section is to support the recovery of the United States economy by providing assistance to aid in reopening child care programs, and maintaining the availability of child care in the United States, so that parents can access safe child care and return to work.

(b) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term “COVID–19 public health emergency” means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Services Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19, including any renewal of such declaration.

(2) ELIGIBLE CHILD CARE PROVIDER.—The term “eligible child care provider” means—

(A) an eligible child care provider as defined in section 658P(6)(A) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n(6)(A)); and

(B) a child care provider that—

(i) is license-exempt and operating legally in the State;

(ii) is not providing child care services to relatives; and

(iii) satisfies State and local requirements, including those referenced in section 658C(c)(2)(I) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(I)).

(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—The term “Indian tribe” and “tribal organization” have the meanings given the terms in section 658C(c)(2)(I) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(I)).

(4) LEAD AGENCY.—The term “lead agency” has the meaning given the term in section...
658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m).

(5) QUALIFIED CHILD CARE PROVIDER.—The term "qualified child care provider" means an eligible child care provider with an application approved under subsection (g) for the program involved.

(6) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(7) STATE.—The term "State" has the meaning given the term in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m).

(c) GRANTS FOR CHILD CARE PROGRAMS.—From the funds appropriated to carry out this section, the Secretary shall make Back to Work Child Care grants to States, Indian tribes, and tribal organizations, that submit notices of intent to provide assurances under subsection (d)(2). The grants shall provide for subgrants to qualified child care providers, for a transition period of not more than 9 months, to assist in paying for fixed costs and increased operating expenses due to COVID-19 and to reenroll children in an environment that supports the health and safety of children and staff.

(d) PROCESS FOR ALLOCATION OF FUNDS.—

(1) ALLOCATION.—Any funds that are appropriated to carry out this section shall be distributed by the Secretary to the Administration for Children and Families for distribution under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) in accordance with subsection (e)(2).

(2) NOTICE.—Not later than 7 days after funds are appropriated to carry out this section, the Secretary shall provide to States, Indian tribes, and tribal organizations a notice of funding availability for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (d)(2). The Secretary shall issue a notice of the funding allocations for each State, Indian tribe, and tribal organization not later than 14 days after funds are appropriated to carry out this section.

(3) NOTICE OF INTENT.—Not later than 14 days after issuance of a notice of funding allocations under paragraph (1), a State, Indian tribe, or tribal organization that seeks such a grant shall submit to the Secretary a notice of intent to provide assurances for such grant. The notice of intent shall include a certification that the State, Indian tribe, or tribal organization will repay the grant funds if such State, Indian tribe, or tribal organization is determined not to meet the requirements of subsection (f) or to comply with such an assurance.

(4) GRANTS TO LEAD AGENCIES.—The Secretary may make grants under subsection (c) to the lead agency of each State, Indian tribe, or tribal organization, upon receipt of the notice of intent to provide assurances for such grant.

(5) PROVISION OF ASSURANCES.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).

(e) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—

(1) RESERVATION.—The Secretary shall reserve not more than 1 percent of the amount appropriated to carry out this section to the Federal administrative cost of the Federal administration of this section. The amount appropriated to carry out this section and reserved under this paragraph shall remain available throughout the period of appropriation.

(2) ALLOTMENTS AND PAYMENTS.—The Secretary shall use the remaining portion of such amount to make allotments and payments to States, Indian tribes, and tribal organizations that submit a notice of intent under subsection (d)(3) to provide assurances, in accordance with paragraphs (1) and (2) of subsection (a), and subsection (b), of section 6580 of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m).

(f) ASSURANCES.—(A) A State, Indian tribe, or tribal organization that receives a grant under subsection (c) to the Secretary that assurance that the lead agency will—

(i) require that subgrant funds are made available to eligible child care providers under this section, and for which such child care providers will comply with the requirements of subsection (h); and

(ii) use not less than 1 percent of the funds to provide technical assistance and support in applying for and accessing funding under this section for which such child care providers, including the lead agency, will include monitoring the quality and integrity of qualified child care services provided by such child care providers under applicable State, local, and tribal health and safety requirements and standards.

(B) The Secretary shall ensure that the lead agency for each State, Indian tribe, or tribal organization that receives a grant under this paragraph shall remain available for the costs of the Federal administration of the funding allocations for each State, Indian tribe, or tribal organization that seeks to provide such a grant.

(g) LEAD AGENCY USE OF FUNDS.—

(1) IN GENERAL.—A lead agency that receives a grant under subsection (c) may use funds to—

(A) use not less than 1 percent of the funds to provide technical assistance and support in applying for and accessing funding under this section for which such child care providers, including the lead agency, will include monitoring the quality and integrity of qualified child care services provided by such child care providers under applicable State, local, and tribal health and safety requirements and standards; and

(B) use the remainder of the reserved funds to—

(i) administer subgrants to qualified child care providers under this section, which shall include monitoring the quality and integrity of qualified child care services provided by such child care providers under applicable State, local, and tribal health and safety requirements and standards; and

(ii) provide child care services to meet the needs of working families in a variety of settings, including the settings of family child care.

(h) REPORTING AND REQUIREMENTS.—

(1) IN GENERAL.—The lead agency shall—

(A) report on the use of the funds to the Secretary; and

(B) provide such other information as the Secretary may require.

(2) TECHNICAL ASSISTANCE.—The lead agency shall provide technical assistance to qualified child care providers under this section, which shall include the provision of technical assistance either directly or through resource and referral agencies or state, local, or tribal health and safety requirements.

(ii) W AIVERS.—At the request of a State, Indian tribe, or tribal organization, the Secretary may grant such waiver.

(iii) USE.—Notwithstanding paragraph (i), the funds shall be used for the purposes described in paragraph (i).
(iii) paying for fixed operating costs associated with providing child care services, including the costs of payroll, the continuation of existing (as of March 1, 2020) employee benefits, mortgage or rent, utilities, and insurance;
(iv) acquiring equipment and supplies (including personal protective equipment) necessary to provide and enhance child care services in a manner that is safe for children and staff in accordance with applicable State, local, and tribal health and safety requirements;
(v) costs that are no longer safe to use as a result of the COVID–19 public health emergency;
(vi) making facility changes and repairs to address enhanced protocols for child care services related to COVID–19 or another health or safety condition, to ensure children and child care providers are in a child care facility;
(vii) purchasing or updating equipment and supplies to serve children during nontraditional hours;
(viii) adapting the child care program or curricula to accommodate children who have not had recent access to a child care setting;
(ix) carrying out any other activity related to the child care program of a qualified child care provider; and
(x) reimbursement of expenses incurred before the provider received a subgrant under this paragraph for the use for which the expenses are incurred is described in any of clauses (I) through (IX) and is disclosed in the subgrant application for such subgrant.

(C) SUBGRANT APPLICATION.—To be qualified to receive a subgrant under this paragraph, an eligible child care provider shall submit an application to the lead agency in such form and containing such information as the lead agency may reasonably require, including—
(I) a budget plan that includes—
(a) information describing how the eligible child care provider will use the subgrant funds to pay for fixed costs and increased operating expenses, including, as applicable, payroll, employee benefits, mortgage or rent, utilities, and insurance, described in subparagraph (B)(iii);
(b) data on current operating capacity, taking into account previous operating capacity for a period of time prior to the COVID–19 public health emergency, and updated group size limits and staff-to-child ratios;
(c) child care enrollment, attendance, and revenue data, including current and previous enrollment and revenue for the period described in subsection (II); and
(d) a demonstration of how the subgrant funds will assist in promoting the long-term viability of the eligible child care provider and how the eligible child care provider will sustain operations after the cessation of funding under this section;
(II) assurances that the eligible child care provider will—
(a) report to the lead agency, before every month for which the subgrant funds are to be received, data on current financial characteristics, including revenue, and data on current enrollment and attendance;
(b) not artificially suppress revenue, enrollment, or attendance for the purposes of receiving subgrant funding;
(c) provide the necessary documentation under subsection (b) to the lead agency, including providing documentation of expenditures of subgrant funds; and
(d) maintain—
(I) applicable State, local, and tribal health and safety requirements, and, if applicable, enhanced protocols for child care services and related to COVID–19 or another health or safety condition; and
(II) a certification in good faith that the child care program will remain open for not less than 1 year after receiving a subgrant under this paragraph, unless such program is closed due to extraordinary circumstances described in subsection (f)(1)(D).

(D) SUBGRANT DISBURSEMENT.—In providing funds through a subgrant under this paragraph—
(I) the lead agency shall—
(a) disburse subgrant funds to a qualified child care provider in installments made not less than once monthly;
(b) disburse a subgrant installment to a qualified child care provider if the lead agency has provided, before that month, the enrollment, attendance, and revenue data required under subparagraph (C)(ii)(I) and, if applicable, current enrollment and revenue data required under subparagraph (C)(ii)(II); and
(c) make subgrant installments to any qualified child care provider for a period of not more than 9 months; and
(II) the lead agency may, notwithstanding subparagraph (E)(i), disburse an initial subgrant installment to a provider in a greater amount than that subparagraph provides for, and adjust the succeeding installments, as applicable.

(E) SUBGRANT INSTALLMENT AMOUNT.—The lead agency—
(I) shall determine the amount of a subgrant installment under this paragraph by basing the amount on—
(a) the fixed costs associated with the provision of child care services by a qualified child care provider;
(b) the election of the lead agency, an additional amount determined by the State for the purposes of assisting qualified child care providers with, as applicable, increased operating costs and lost revenue, associated with the COVID–19 public health emergency; and
(c) any other methodology that the lead agency determines to be appropriate, and which is disclosed in reporting submitted by the lead agency under subsection (g)(4)(B);
(II) shall ensure that, for any period for which subgrant funds are disbursed under this paragraph, no qualified child care provider receives a subgrant installment that when added to current revenue for that period exceeds the revenue for the corresponding period of the prior fiscal year; and
(III) may factor in decreased operating capacity due to updated group size limits and staff–to–child ratios, in determining subgrant installment amounts.

(F) REPAYMENT OF SUBGRANT FUNDS.—A qualified child care provider that receives a subgrant under this paragraph shall be required to repay the subgrant amount that the lead agency determines that the provider fails to provide the assurances described in subparagraph (C)(ii)(I), or to comply with such an assurance.

(G) SUPPLEMENT NOT SUPPLANT.—Amounts made available to carry out this section shall be used to supplement and not supplant other Federal, State, tribal, and local public funds expended to provide child care services, including funds provided under the Child Care Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) and State and tribal child care programs.

(h) DOCUMENTATION AND REPORTING REQUIREMENTS.—
(I) DOCUMENTATION.—A State, Indian tribe, or tribal organization receiving a grant under subsection (c) shall provide documentation of any State or tribal expenditures from grant funds received under subsection (c) in accordance with section 658K(b) of the Child Care Development Block Grant Act of 1990 (42 U.S.C. 9858b(c)) to the independent entity described in that section.

(2) REPORTS.

(A) LEAD AGENCY REPORT.—A lead agency receiving a grant under subsection (c) shall, not later than 12 months after receiving such grant, submit a report to the Secretary that includes a description of the program of subgrants carried out to meet the objectives of this section, including—
(I) a description of the role of the lead agency determined—
(a) the criteria for awarding subgrants for qualified child care providers, including the methodology the lead agency used to determine and disburse subgrant funds in accordance with subparagraphs (D) and (E) of subsection (g)(4); and
(b) the types of providers that received priority for the subgrants, including considerations related to—
(I) setting;
(II) average monthly revenues, enrollment, and attendance, before and during the COVID–19 public health emergency and after the expiration of State, local, and tribal stay–at–home orders; and
(III) geographically based child care service needs across the State or tribal community;
and
(II) the number of eligible child care providers in operation and serving children on March 1, 2020, and the average number of such providers for March 2020 and each of the 11 months following, disaggregated by age of children served, geography, region, center–based child care setting, and family child care setting;
(iii) the number of child care slots, in the capacity of a qualified child care provider given applicable group size limits and staff–to–child ratios, that were open for attendance of children on March 1, 2020, the average number of such slots for March 2020 and each of the 11 months following, disaggregated by age of children served, geography, region, center–based child care setting, and family child care setting;
(iv) the number of qualified child care providers that received a subgrant under subsection (g)(4), disaggregated by age of children served, geography, region, center–based child care setting, and family child care setting; and
(v) information concerning how qualified child care providers receiving subgrants under subsection (g)(4) used the subgrant funding received, disaggregated by the allowable uses of funds described in subsection (g)(4)(B).

(B) REPORT TO CONGRESS.—Not later than 90 days after receiving the lead agency reports required under subparagraph (A), the Secretary shall make publicly available and provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report summarizing the findings of the lead agency reports.

(i) EXCLUSION FROM INCOME.—For purposes of section 658Z–1 of the Internal Revenue Code of 1986, gross income shall not include any amount received by a qualified child care provider under this section.

(ii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the activities under this section.

SA 2583. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr.
The term “COVID-19 emergency period” means the period—
(A) beginning on April 1, 2020, and
(B) ending on the earlier of—
(i) the last day of the first month in which the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID–19) is no longer in effect, or
(2) COVID–19 EMERGENCY PERIOD.—The term “COVID–19 emergency period” means the period—
(A) beginning on April 1, 2020, and
(B) ending on the earlier of—
(i) the last day of the first month in which the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID–19) is no longer in effect, or
(3) OTHER TERMS.—Any term used in this title which is used in chapter 2 of the Internal Revenue Code of 1986 shall have the meaning given such term under such chapter.

SEC. 203. EXCLUSION FROM GROSS INCOME FOR CERTAIN COMPENSATION OF FRONT-LINE EMPLOYEES FOR ESSENTIAL INDUSTRIES DURING THE COVID–19 NATIONAL EMERGENCY.
(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any wages received during the COVID–19 emergency period by an individual who is a COVID–19 front-line employee for employment as a COVID–19 front-line employee.
(b) LIMITATION.—The amount of wages excluded from gross income under subsection (a) for any month shall not exceed $8,803.50 for any individual for any part of which such COVID–19 front-line employee earned income as an essential critical infrastructure employee.
(c) SPECIAL RULE FOR CHILD TAX CREDIT AND EARNED INCOME CREDIT.—For purposes of sections 24 and 32 of the Internal Revenue Code of 1986, wages may be treated as earned income with respect to amounts excluded from gross income by reason of subsection (a) as earned income.
At the appropriate place, insert the following:

SEC. 25E. FAMILY CAREGIVERS.

(a) Definition of caregiver.—In the case of an eligible caregiver, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an equal amount of the qualified expenses paid by the taxpayer during the taxable year to the extent that such expenses exceed $12,000.

(b) Limitation.—

(1) In general.—The amount allowed as a credit under subsection (a) for the taxable year shall not exceed $3,000.

(2) Adjustment for inflation.—In the case of any taxable year beginning after 2020, the dollar amount contained in paragraph (1) shall be increased by an amount equal to the product of—

(A) such dollar amount, and

(B) the medical care cost adjustment determined under section 213(d)(3)(B)(ii) for the calendar year in which the taxable year begins, determined by substituting ‘2019’ for ‘1996’ in subsection (B) thereof.

If any increase determined under the preceding sentence is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.

(c) Eligible caregiver.—For purposes of this section, the term ‘eligible caregiver’ means an individual who, during the taxable year, pays or incurs qualified expenses in connection with providing care for a qualified care recipient.

(d) Qualified care recipient.—For purposes of this section—

(1) In general.—The term ‘qualified care recipient’ means an individual who, during the taxable year, is unable to perform activities of daily living (as defined in section 7702B(c)(2)(B)) and instrumental activities of daily living (as defined in section 1915(k)(6)(F) of the Social Security Act (42 U.S.C. 1396n(k)(6)(F))).

(2) Exclusions.—For purposes of paragraph (1), such term does not include—

(A) the spouse of the eligible caregiver, or any other person who bears a relationship to the eligible caregiver described in any of subparagraphs (A) through (H) of section 152(d)(2), and

(B) has been certified, before the due date for filing the return of tax for the taxable year, by a health care practitioner (as defined in section 7702B(c)(4)) as being an individual with long-term care needs described in paragraph (3) for a period—

(i) which is at least 180 consecutive days, and

(ii) of a portion which occurs within the taxable year.

(2) Certification for making certification.—Notwithstanding paragraph (1)(B), a certification shall not be treated as valid unless it is made within the 30-month period ending on such due date (or such other period as the Secretary prescribes).

(3) Indiguals with long-term care needs.—An individual is described in this paragraph if the individual meets any of the following requirements:

(A) The individual is at least 6 years of age and—

(i) is unable to perform (without substantial assistance from another individual) at least 2 activities of daily living (as defined in section 7702B(c)(2)(B)) due to a loss of functional capacity.

(ii) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairment and is unable to perform, without reminding or cuing assistance, at least 1 activity of daily living (as so defined) or to the extent provided in regulations prescribed by the Secretary of Health and Human Services, is unable to engage in age appropriate activities.

(B) The individual is at least 2 but not 6 years of age and is unable due to a loss of functional capacity to perform (without substantial assistance from another individual) at least 2 activities of daily living (as defined in paragraph (1)(A)); engaging in an activity associated with eating, transferring, or mobility.

(C) The individual is under 2 years of age and requires specific durable medical equipment by reason of a severe health condition or requires a skilled practitioner trained to address the individual’s condition to be available if the individual’s parents or guardians absents.

(e) Qualified expenses.—For purposes of this section—

(1) In general.—Subject to paragraph (4), the term ‘qualified expenses’ means expenditures for—

(A) a qualified care recipient with accomplishing activities of daily living (as defined in section 7702B(c)(2)(B)) and instrumental activities of daily living (as defined in section 1915(k)(6)(F) of the Social Security Act (42 U.S.C. 1396n(k)(6)(F))),

(B) are provided solely for use by such qualified care recipient, and

(C) are made after March 13, 2020 and before January 1, 2022.

(2) Adjustment for other tax benefits.—The amount of qualified expenses otherwise taken under paragraph (1) with respect to an eligible caregiver described in any of subparagraphs (A) through (H) of section 152(d)(2), and

(B) the cost-of-living adjustment determined under section (1)(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘2019’ for ‘calendar year 2019’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(3) Threshold amount.—The term ‘threshold amount’ means—

(A) $150,000 in the case of a joint return, and

(B) $75,000 in any other case.

(4) Indexing.—In the case of any taxable year beginning in a calendar year after 2020, each dollar amount contained in paragraph (3) shall be increased by an amount equal to the product of—

(A) such dollar amount, and

(B) the cost-of-living adjustment determined under section (1)(f)(3) for the calendar year in which the taxable year begins, by substituting ‘calendar year 2019’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(5) Rounding rule.—If any increase determined under paragraph (4) is not a multiple of $50, such increase shall be rounded to the nearest multiple of $50.

(g) Identification of eligible caregiver with care recipient (qualified care recipient).—Identification requirement.—No credit shall be allowed under this section to a taxpayer with respect to any qualified care recipient unless the taxpayer includes the name and taxpayer identification number of such individual, and the identification number of the licensed health care practitioner certifying such individual, on the return of tax for the taxable year.

(h) Attribution.—If a qualified care recipient is attributable to a nonresident alien, the nonresident alien’s portion of the qualified expenses paid by the taxpayer shall be allowed as a credit under subsection (a) if—

(A) the qualified care recipient resides outside the United States, or commutes to the United States, or resides in or commutes to a possession of the United States, and

(B) the credit for a qualified care recipient attributable to the nonresident alien—

(i) is not greater than the applicable rate, and

(ii) is not reduced under section 1116(b) with respect to the nonresident alien.

(i) Coordination with other credits.—Qualified expenses for a taxable year shall not include contributions to an ABLE account (as defined in section 529A).

(j) Phase-out based on adjusted gross income.—For purposes of this section—

(1) In general.—The term ‘modified adjusted gross income’ means adjusted gross income increased by any amount excluded from gross income under section 911, 931, or 933.

(2) Modified adjusted gross income.—For purposes of this section, the term ‘modified adjusted gross income’ means adjusted gross income increased by any amount excluded from gross income under section 911, 931, or 933.

(3) Threshold amount.—The term ‘threshold amount’ means—

(A) $150,000 in the case of a joint return, and

(B) $75,000 in any other case.

(4) Indexing.—In the case of any taxable year beginning in a calendar year after 2020, each dollar amount contained in paragraph (3) shall be increased by an amount equal to the product of—

(A) such dollar amount, and

(B) the cost-of-living adjustment determined under section (1)(f)(3) for the calendar year in which the taxable year begins, by substituting ‘calendar year 2019’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(5) Rounding rule.—If any increase determined under paragraph (4) is not a multiple of $50, such increase shall be rounded to the nearest multiple of $50.

(6) Identification of eligible caregiver with care recipient (qualified care recipient).—Identification requirement.—No credit shall be allowed under this section to a taxpayer with respect to any qualified care recipient unless the taxpayer includes the name and taxpayer identification number of such individual, and the identification number of the licensed health care practitioner certifying such individual, on the return of tax for the taxable year.

(7) Mileage rate.—For purposes of this section, the mileage rate for the use of a passenger automobile shall be the standard mileage rate used to calculate the deductible portion of actual automobile-related travel expenses.

SEC. 25F. PASS-THROUGH OF PORTION OF STATE CORONAVIRUS RELIEF FUND TO LOCAL GOVERNMENTS.

(a) Pass-through requirement.—Subsection (b) of section 601 of the Social Security Act (42 U.S.C. 1396a) is amended—

SEC. 25G. CONGRESSIONAL RECORD—SENATE

S4956

CONGRESSIONAL RECORD—SENATE

August 5, 2020
SA 2587. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, to condemn human rights violations of ethnic Turkic Muslims in Xinjiang, and denounce gross human rights violations of that region.

(a) A restaurant, food stand, food truck, food cart, caterer, saloon, inn, tavern, bar, tavern, winery, distillery, brewery, brewpub, tasting room, taproom, bar, lounge, brewpub, tasting room, taproom, or café;

(b) A business in which an individual or eligible entity has a 25 percent or greater ownership interest; and

(c) A business that is located in an airport terminal; or

(d) An eligible entity that is located in a State (as defined in subsection (f)(9)) that—

(i) is part of a State or local government facility; or

(ii) as of March 13, 2020, owns or operates (together with any affiliated business) more than 20 locations, regardless of whether those locations do business under the same or multiple names.

(b) Registration.—The Secretary shall register each grant awarded under this subsection using the employer identification number of the eligible entity.

(c) Application.—An eligible entity applying for a grant under this subsection shall make a good faith certification—

(i) that the uncertainty of current economic conditions makes necessary the grant in order to support the ongoing operations of the eligible entity;

(ii) acknowledging that funds will be used to retain workers and maintain payroll or for other allowable expenses described in paragraph (5); and

(iii) that the eligible entity does not have an application pending for a grant under subsection (a)(36) or (b)(2) of section 7 of the Small Business Act (15 U.S.C. 636) for the same purpose and duplicative of amounts applied for or received under this subsection; and

(iv) that, during the covered period, the eligible entity has not received amounts under subsection (a)(36) or (b)(2) of section 7 of the Small Business Act (15 U.S.C. 636) for the same purpose and duplicative of amounts applied for or received under this subsection.

(c) Hold harmless.—An eligible entity applying for a grant under this subsection shall not be ineligible for a grant if the eligible entity is able to document—

(i) that the inability to retain workers was due to the public health emergency under the applicable public health department of the State;

(ii) that the eligibility criteria were applied incorrectly due to errors made by the eligible entity or the Secretary; and

(iii) that the inability to retain workers was due to the public health emergency under the applicable public health department of the State.

(d) Use of funds.—During the covered period, an eligible entity that receives a grant under this subsection may use the grant funds for the following expenses incurred as a direct result of the COVID-19 pandemic:

(i) Payroll costs.

(ii) Payments of principal or interest on any mortgage obligation.

(iii) Rent payments, including rent under a lease agreement.

(iv) Utilities.

(v) Maintenance expenses, including—

(A) an addition to accommodate outdoor seating; and

(B) walls, floors, deck surfaces, furniture, fixtures, and equipment.

(vi) Supplies, including protective equipment and cleaning materials, as required by applicable public health departments.

(vii) Food and beverage expenses that are directly related to the normal business practices of the eligible entity before the covered period.
(viii) Debt obligations to suppliers that were incurred before the covered period.
(ix) Operational expenses.
(x) Any other expenses that the Secretary determines to be essential to maintaining the eligible entity.

(B) RETURNING FUNDS.—If an eligible entity that receives a grant under this subsection permanently or substantially ceases operations on or before December 31, 2020, the eligible entity shall return the Treasury any funds that the eligible entity did not use for the allowable expenses described in subparagraph (A).

(C) CONVERSION TO LOAN.—Any grant amounts received by an eligible entity under this subsection that are unused after December 31, 2020, shall be immediately converted to a loan with—

(i) an interest rate of 1 percent; and
(ii) a maturity date of 10 years.

(TAXABILITY.—For purposes of the Internal Revenue Code of 1986—

(A) the amount of a grant awarded to an eligible entity under this subsection shall be excluded from the gross income of the eligible entity;
(B) no deduction shall be denied or reduced, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by subparagraph (A); and
(C) an eligible entity that receives a grant under this subsection shall not be eligible for the credit described in section 2301 of the CARES Act (Public Law 116–136).

(3) USE OF FUNDS.—The Secretary shall use amounts in the Fund to make grants described in this subsection.

(D) RESTAURANT REVITALIZATION GRANTS.—

(1) IN GENERAL.—The Secretary shall award grants under this subsection to an eligible entity for the purpose of retaining workers and maintaining payroll or for other allowable expenses incurred as a direct result of the COVID–19 pandemic:

(i) acknowledging that funds will be used to retain workers and maintain payroll or for other allowable expenses described in paragraph (5);

(ii) if the eligible entity does not have an application pending for a grant under subsection (a)(36) or (b)(2) of section 7 of the Small Business Act (15 U.S.C. 636) for the same purpose and duplicative of amounts applied for or received under this subsection;

(iii) that, during the covered period, the eligible entity has not received amounts under subsection (a)(36) or (b)(2) of section 7 of the Small Business Act (15 U.S.C. 636) for the same purpose and duplicative of amounts applied for or received under this subsection;

(C) HOLD HARMLESS.—An eligible entity applying for a grant under this subsection shall not be ineligible for a grant if the eligible entity is able to document—

(i) an inability to hire similarly qualified employees for unfilled positions on or before December 31, 2020.

(4) PRIORITY IN AWARDING GRANTS.—During the initial 14-day period in which the Secretary awards grants under this subsection, the Secretary shall—

(A) prioritize awarding grants to minority-owned and operated eligible entities; and

(B) only award grants to eligible entities with annual revenues of less than $1,500,000.

(5) GRANT AMOUNT.—

(A) AGGREGATE MAXIMUM AMOUNT.—The aggregate amount of grants made to an eligible entity and any affiliate businesses of the eligible entity under this subsection shall not exceed $10,000,000.

(B) DETERMINATION OF GRANT AMOUNT.—

(i) IN GENERAL.—The amount of a grant made to an eligible entity under this subsection shall be equal to the difference between—

(I) the sum of the revenues or estimated revenues of the eligible entity during each calendar quarter in 2020.

(ii) the sum of such revenues during the same calendar quarter in 2019, if such sum is greater than zero.

(ii) VERIFICATION.—An eligible entity shall submit to the Secretary verification documentation as the Secretary may require to determine the amount of a grant under clause (i). (iii) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after December 31, 2020 shall be deposited in the general fund of the Treasury.

(3) USE OF FUNDS.—The Secretary shall use amounts in the Fund to make grants described in subsection (d).

(D) LIMITATION.—An eligible entity shall not be eligible for a grant under this subsection if the eligible entity has not received amounts under subsection (a)(36) or (b)(2) of section 7 of the Small Business Act (15 U.S.C. 636) for the same purpose and duplicative of amounts applied for or received under this subsection.

(6) USE OF FUNDS.—

(A) IN GENERAL.—During the covered period, an eligible entity that receives a grant under this subsection may use the grant funds for the following expenses incurred as a direct result of the COVID–19 pandemic:

(i) Payroll costs,
SA 2589. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENT OF JUSTICE PROGRAMS.

(a) Appropriations.—There is appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2021, the additional amount for "Department of Justice, State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", $355,000,000, of which—

(1) $225,000,000 is for grants to combat violence against women, as authorized by part T of the Omnibus Crime Control and Safe Schools Act of 1994 [42 U.S.C. 10141 et seq.]; and

(2) $100,000,000 is for sexual assault victims assistance as authorized by section 40299 of the Violent Crime Control and Law Enforcement Act of 1994 [Public Law 103–322].

(b) Qualified employee.—The term "qualified employee" means an individual who is an employee of the Federal Bureau of Investigation, the Immigration and Customs Enforcement, the Drug Enforcement Administration, or any other Federal law enforcement agency.

(c) Payroll tax holiday period.—The terms "payroll tax holiday period" means the period beginning on the date of the enactment of this Act and ending on December 31, 2020.

(d) Coordination with delay of payment of employer payroll taxes.—Section 2802(d)(2) of the CARES Act [Public Law 116–136] is amended—(1) by inserting at the end the following new paragraph:

"(x) Any other expenses that the Secretary of the Treasury determines to be in the public interest to exclude from the gross income of the eligible entity;"

(e) Emergency designation.—The amendment provided under this subsection is designated as an emergency requirement pursuant to section 4(g) of the Stafford Act [42 U.S.C. 5002(g)].

SEC. ___ TEMPORARY EMPLOYEE AND EMPLOYER PAYROLL TAX CUT.

(a) In General.—Notwithstanding any other provision of law—

(1) with respect to remuneration paid to a qualified employee during the payroll tax holiday period, the rate of tax under section 3101(a) of such Code shall be 0 percent (including for purposes of determining the applicable percentage under sections 3212(a) and 3221(a)(1) of such Code); and

(2) with respect to remuneration paid to a qualified employee during the payroll tax holiday period, the rate of tax under section 3101(a) of such Code shall be 0 percent (including for purposes of determining the applicable percentage under section 3221(a) of such Code), and

(b) Qualified employee.—The term "qualified employee" means an individual who is an employee of the Federal Bureau of Investigation, the Immigration and Customs Enforcement, the Drug Enforcement Administration, or any other Federal law enforcement agency.
(i) in clause (i)(I), by striking “20 years”, and inserting “40 years”, and
(ii) in clause (iii), by striking “January 1, 2027” and inserting “January 1, 2028”,

(b) In paragraph (B)—

(1) in clause (i)—

(II) by striking “January 1, 2027” and inserting “January 1, 2029”;

(II) by striking “January 1, 2027” and inserting “January 1, 2029”;

(2) in paragraph (5)(A), by striking “January 1, 2027” and inserting “January 1, 2028”, and

(iii) in paragraph (6)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “January 1, 2027” and inserting “January 1, 2028”,

(ii) in clause (ii), by striking “December 31, 2026, and before January 1, 2027” and inserting “December 31, 2027, and before January 1, 2028”,

(iii) in clause (iii), by striking “December 31, 2026, and before January 1, 2027” and inserting “December 31, 2027, and before January 1, 2028”,

(iv) in clause (iv), by striking “December 31, 2026, and before January 1, 2027” and inserting “December 31, 2027, and before January 1, 2028”,

(v) in clause (v), by striking “December 31, 2026, and before January 1, 2027” and inserting “December 31, 2027, and before January 1, 2028”,

(B) in subparagraph (B)—

(i) in clause (i), by striking “January 1, 2026” and in inserting “January 1, 2027”,

(ii) in clause (ii), by striking “December 31, 2024, and before January 1, 2026” and inserting “December 31, 2025, and before January 1, 2026”,

(iii) in clause (iii), by striking “before January 1, 2027”,

(iv) in clause (iv), by striking “before December 31, 2025, and before January 1, 2026” and inserting “December 31, 2026, and before January 1, 2027”,

(v) in clause (v), by striking “before December 31, 2025, and before January 1, 2026” and inserting “December 31, 2026, and before January 1, 2027”,

(C) in subparagraph (C)—

(i) in clause (i), by striking “January 1, 2026” and in inserting “January 1, 2027”,

(ii) in clause (ii), by striking “after December 31, 2025, and before January 1, 2026” and inserting “December 31, 2026, and before January 1, 2027”,

(iii) in clause (iii), by striking “after December 31, 2025, and before January 1, 2026” and inserting “December 31, 2026, and before January 1, 2027”,

(iv) in clause (iv), by striking “after December 31, 2025, and before January 1, 2026” and inserting “December 31, 2026, and before January 1, 2027”,

(v) in clause (v), by striking “before December 31, 2026, and before January 1, 2027” and inserting “after December 31, 2026, and before January 1, 2027”,

(b) CONFORMING AMENDMENT.—Section 1202(b)(3)(A) of such Code is amended by striking “$5,000,000” and inserting “$10,000,000”.

(c) INCREASE IN QUALIFIED BUSINESS ASSIST LIMITATIONS.—Section 1202(d)(1) of the Internal Revenue Code is amended by striking “$50,000,000” each place it appears in subparagraphs (A) and (B) and inserting “$100,000,000”.

(d) EXPANSION OF PERMISSIBLE TRADES OR BUSINESSES.—Section 1202(e)(3) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and by moving such clauses 2 ems to the right, and

(2) by striking “mean any trade or business other than—” and inserting “mean—”;

(A) in the case of stock acquired after the date of the enactment of the Coronavirus Relief Fund Unemployment Compensation Act of 2020, any trade or business, and

(B) in the case of stock acquired or on or before such date, any trade or business other than—

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to stock acquired after the date of the enactment of this Act.

(2) INCREASE IN EXCLUSION LIMITATION.—The amendments made by subsection (b) shall apply to investments after the date of the enactment of this Act.

SEC. 2592. Ms. COLLINS (for herself, Ms. FEINSTEIN, Mr. DAINES, and Mr. MORAIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. EXPANSION OF EXCLUSION FOR GAIN FROM CERTAIN SMALL BUSINESS STOCK.

(a) APPLICATION TO CORPORATIONS.—Section 1202(a) of the Internal Revenue Code of 1986 is amended by striking “in the case of a taxpayer other than corporation, gross income” and inserting “Gross income”.

(b) INCREASE IN EXCLUSION LIMITATION.—

(1) IN GENERAL.—Section 1202(b)(1)(A) of the Internal Revenue Code of 1986 is amended by striking “$10,000,000” and inserting “$20,000,000”.

(2) CONFORMING AMENDMENT.—Section 1202(b)(3)(A) of such Code is amended by striking “$5,000,000” and inserting “$10,000,000”.

(c) INCREASE IN QUALIFIED BUSINESS ASSIST LIMITATIONS.—Section 1202(d)(1) of the Internal Revenue Code is amended by striking “$50,000,000” each place it appears in subparagraphs (A) and (B) and inserting “$100,000,000”.

(d) EXPANSION OF PERMISSIBLE TRADES OR BUSINESSES.—Section 1202(e)(3) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and by moving such clauses 2 ems to the right, and

(2) by striking “mean any trade or business other than—” and inserting “mean—”;

(A) in the case of stock acquired after the date of the enactment of the Coronavirus Relief Fund Unemployment Compensation Act of 2020, any trade or business, and

(B) in the case of stock acquired or on or before such date, any trade or business other than—

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to stock acquired after the date of the enactment of this Act.

(2) INCREASE IN EXCLUSION LIMITATION.—The amendments made by subsection (b) shall apply to investments after the date of the enactment of this Act.

SA 2593. Ms. COLLINS (for herself, Ms. FEINSTEIN, Mr. DAINES, and Mr. MORAIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. POSTAL SERVICE EMERGENCY ASSTANCE.

(a) FINDINGS.—Congress finds the following:

(1) By law, the Postal Service operates as a ‘‘basic and fundamental service provided to the people by the Government of the United States’’ and must serve rural, suburban, and urban areas throughout the United States, especially those in remote and rural areas of the country, delivering business correspondence, educational, cultural and scientific information, critical prescriptions and medications, home and commercial goods with affordable, reliable service not fewer than 6 days per week.

(2) The Postal Service helps small businesses and others connected with their customers no matter where they are located or where their customers live.

(3) Since 1970, the Postal Service has been charged with operating as a self-sustaining entity and its operations are funded from postage paid for mail and shipping and not primarily by taxpayer funds.

(4) The Government Accountability Office reports that the Postal Service has lost approximately $78,000,000,000 from fiscal year 2007 through 2019 due primarily to declining mail volumes and rising costs.

(5) Package delivery volumes have more than doubled since 2010, but the Postal Service faces competition in this area.

(6) The Postal Service is not on a sustainable path and needs reform to be viable over the long term.

(7) Reforms must be focused on the long term solvency of the Postal Service while ensuring that the greatest possible public and private employees of the Postal Service.

(8) By law, the authority for operation and strategic direction of the Postal Service, an independent establishment with no executive branch, is delegated to the Board of Governors of the Postal Service, including the Postmaster General.

On May 6, 2020, the Board of Governors of the Postal Service selected Louis DeJoy as the 75th Postmaster General of the United States.

(9) The new Postmaster General should be given the opportunity to review the operations and finances of the Postal Service and, in coordination with the rest of the Board of Governors of the Postal Service, propose a plan to ensure its long term viability.

(10) At the same time, the COVID–19 pandemic has significantly contributed to the decline in market demand for mail and revenues while increasing costs, putting additional stress on the financial situation of the Postal Service.

(11) Now more than ever, affordable mail and package delivery provided by the Postal Service is a lifeline for people in the United States, especially for seniors and others living in remote and rural areas.

(12) The critical services the Postal Service provides will play a fundamental part of the economic recovery of the United States.

(13) Congress should provide immediate emergency appropriations to cover financial losses to the Postal Service caused by the COVID–19 pandemic in order to keep the Postal Service operating and reform interrup-
SA 2594. Mr. MORAN (for himself and Mr. TESTER) proposed an amendment to the bill S. 785, to improve mental health care provided by the Department of Veterans Affairs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the "Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019."

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

I. SHORT TITLE; TABLE OF CONTENTS
(a) SHORT TITLE.—This Act may be cited as the "Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019."

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

TITLE I—IMPROVEMENT OF TRANSITION OF INDIVIDUALS TO SERVICES FROM THE DEPARTMENT OF VETERANS AFFAIRS
Sec. 101. Strategic plan on expansion of health care coverage for veterans transitioning from service in the Armed Forces.
Sec. 102. Review of records of former members of the Armed Forces who die by suicide within one year of separation from the Armed Forces.
Sec. 103. Report on REACH VET program of Department of Veterans Affairs.
Sec. 104. Report on care for former members of the Armed Forces with other than honorable discharge.

TITLE II—SUICIDE PREVENTION
Sec. 201. Financial assistance to certain entities to provide or coordinate the provision of suicide prevention services for eligible individuals and their families.
Sec. 202. Analysis on feasibility and advisability of the Department of Veterans Affairs providing certain complementary and integrative health services.
Sec. 203. Pilot program to provide veterans accessing care in the Virtual Care Environment with access to complementary and integrative health programs through animal therapy, art therapy, and post-traumatic growth programs.
Sec. 204. Department of Veterans Affairs study of all-cause mortality of veterans, including by suicide, and review of staffing levels of mental health professionals.
Sec. 205. Comptroller General report on management by Department of Veterans Affairs of veterans at high risk for suicide.

TITLE III—PROGRAMS, STUDIES, AND GUIDELINES ON MENTAL HEALTH
Sec. 301. Study on connection between living at high altitude and suicide risk factors for veterans.
Sec. 302. Establishment by Department of Veterans Affairs and Department of Defense of a clinical advisory board to develop a toolkit and accompanying training materials for comorbidities.
Sec. 303. Update of clinical practice guidelines for assessment and management of patients at risk for suicide.
Sec. 304. Establishment by Department of Veterans Affairs and Department of Defense of clinical practice guidelines for the treatment of serious mental illness.
Sec. 305. Precision medicine initiative of Department of Veterans Affairs to identify and validate brain and mental health biomarkers.
Sec. 306. Statistical analyses and data evaluation by Department of Veterans Affairs.

TITLE IV—OVERSIGHT OF MENTAL HEALTH CARE AND RELATED SERVICES
Sec. 401. Study on effectiveness of suicide prevention and mental health outreach programs of Department of Veterans Affairs.
Sec. 402. Oversight of mental health and suicide prevention media outreach conducted by Department of Veterans Affairs.
Sec. 403. Comptroller General management review of mental health and suicide prevention services of Department of Veterans Affairs.
Sec. 404. Comptroller General report on efforts of Department of Veterans Affairs to integrate mental health care into primary care clinics.
Sec. 405. Joint mental health programs by Department of Veterans Affairs and Department of Defense.

TITLE V—IMPROVEMENT OF MENTAL HEALTH WORKFORCE
Sec. 501. Staffing improvement plan for mental health providers of Department of Veterans Affairs.
Sec. 502. Establishment of Department of Veterans Affairs Readjustment Counseling Service Scholarship Program.
Sec. 503. Comptroller General report on Re-adjustment Counseling Service Counseling.
Sec. 504. Expansion of reporting requirements on Readjustment Counseling Service of Department of Veterans Affairs.
Sec. 505. Briefing on work schedules for employees of Veterans Health Administration.
Sec. 506. Suicide prevention coordinators.
Sec. 507. Report on efforts by Department of Veterans Affairs to implement safety planning in emergency departments.

TITLE VI—IMPROVEMENT OF CARE AND SERVICES FOR WOMEN VETERANS
Sec. 601. Expansion of capabilities of Veterans Affairs Call Center to include text messaging.
Sec. 602. Requirement for Department of Veterans Affairs internet website to provide information on services available to women veterans.

TITLE VII—OTHER MATTERS
Sec. 701. Expanded telehealth from Department of Veterans Affairs.
Sec. 702. Partnerships with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans and studies on the use of such therapy for treatment of post-traumatic stress disorder and traumatic brain injury.
Sec. 101. STRATEGIC PLAN ON EXPANSION OF HEALTH CARE COVERAGE FOR VETERANS TRANSITIONING FROM SERVICE IN THE ARMED FORCES.

(a) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress and publish on a website of the Department of Veterans Affairs a strategic plan for the provision of health care to any veteran during the one-year period following the discharge or release from active military, naval, or air service.

Sec. 102. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall review the records of each former member of the Armed Forces who died by suicide, as determined by the Secretary of Defense or the Secretary of Veterans Affairs, within one year following the discharge or release of the former member from active military, naval, or air service during the five-year period preceding the date of the enactment of this Act.

(b) DEFINITIONS.—In this section:

(1) IN GENERAL.—The term ‘‘appropriate committees of Congress’’ means—

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

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives;

(C) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(D) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

(c) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress an aggregated report on the results of the review conducted under subsection (a) with respect to the year-one cohort of former members of the Armed Forces covered by the review.

Sec. 103. REPORT ON REACH VET PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the REACH VET program.

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

(1) An assessment of the impact of the REACH VET program on rates of suicide among veterans.

(2) An assessment of how limits within the REACH VET program, such as caps on the number of veterans who may be flagged as high risk, are adjusted for differing rates of suicide across the country.

(3) A detailed explanation, with evidence, for why the conditions included in the model used by the REACH VET program were chosen, including an explanation as to why certain conditions, such as bipolar disorder II, were not included even though they show a similar rate of risk for suicide as other conditions that were included.

(4) An assessment of the feasibility of incorporating certain economic data held by the Veterans Benefits Administration into the model used by the REACH VET program, including financial data and employment status, which research indicates may have an impact on risk for suicide.

(c) REACH VET PROGRAM DEFINED.—In this section, the term ‘‘REACH VET program’’ means the Recovery Engagement and Coordination for Health—Veterans Enhanced Treatment program of the Department of Veterans Affairs.

Sec. 104. REPORT ON CARE FOR FORMER MEMBERS OF THE ARMED FORCES WITH OTHER THAN HONORABLE DISCHARGE.

(a) Definition.—In section 1720l(f) of title 38, United States Code, is amended—

(1) in paragraph (1) by striking ‘‘Not less frequently than once a year and inserting ‘‘Not later than February 15’’;

(2) in paragraph (2)—

(A) by redesignating subparagraph (c) as subparagraph (f); and

(B) by inserting after subparagraph (f) the following new subparagraphs:
SEC. 201. FINANCIAL ASSISTANCE TO CERTAIN ENTITIES TO PROVIDE OR COORDINATE THE PROVISION OF SUICIDE PREVENTION SERVICES FOR ELIGIBLE INDIVIDUALS AND THEIR FAMILIES.

(a) PURPOSE; DESIGNATION.—

(1) PURPOSE.—The purpose of this section is to reduce veteran suicide through a community-based grant program to award grants to eligible entities to provide or coordinate suicide prevention services to eligible individuals and their families.

(2) DESIGNATION.—The grant program under this section is known as the “Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program”.

(b) FINANCIAL ASSISTANCE AND COORDINATION.—An eligible entity shall provide financial assistance to eligible entities approved under this section through the award of grants to such entities or coordinate the provision of services to eligible individuals and their families to reduce the risk of suicide. The Secretary shall carry out this section in coordination with the President’s Roadmap to Empower Veterans and End a National Tragedy of Suicide Task Force and in consultation with the Office of Mental Health and Suicide Prevention of the Department, to the extent practicable.

(c) AWARD OF GRANTS.—

(1) IN GENERAL.—The Secretary shall award a grant to each eligible entity for which the Secretary has approved an application under subsection (f) to provide or coordinate the provision of suicide prevention services to eligible individuals and their families.

(2) GRANT AMOUNTS, INTERVALS OF PAYMENT, AND MATCHING FUNDS.—In accordance with the services being provided under a grant, the Secretary shall determine the duration of those services, the Secretary shall establish—

(A) a maximum amount to be awarded under the grant of not more than $750,000 per grantee per fiscal year; and

(B) intervals of payment for the administration of such grants.

(d) DISTRIBUTION OF GRANTS AND PREFE RRENCE.—

(1) DISTRIBUTION.—The Secretary shall make grants in compliance with subparagraphs (B) and (C), in determining how to distribute grants under this section, the Secretary may prioritize—

(i) tribal lands;

(ii) territories of the United States;

(iii) medically underserved areas;

(iv) areas with a high number or percentage of minority veterans or women veterans; and

(v) areas with a high number or percentage of calls to the Veterans Crisis Line.

(2) AREAS WITH NEED.—The Secretary shall ensure that, to the extent practicable, grants under this section are distributed—

(i) to provide services in areas of the United States that are considered high-risk communities; and

(ii) to eligible entities that assist eligible individuals experiencing high rates of suicide by eligible individuals, including suicide attempts; and

(ii) to eligible entities that assist eligible individuals determined by the Secretary to be at risk of suicide.

(e) REQUIREMENTS FOR RECIPIENT OF GRANTS.—

(1) NOTIFICATION THAT SERVICES ARE FROM ELIGIBLE ORGANIZATIONS.—An entity receiving a grant under this section to provide or coordinate suicide prevention services to eligible individuals and their families shall notify the recipients of such services that such services are being paid for, in whole or in part, by the Department.

(2) DEVELOPMENT OF PLAN WITH ELIGIBLE INDIVIDUALS AND THEIR FAMILY.—Any plan developed with respect to the provision of suicide prevention services for an eligible individual or their family shall be developed in consultation with the eligible individual and their family.

(3) COORDINATION.—An entity receiving a grant under this section shall—

(A) coordinate with the entity with respect to the provision of clinical services to eligible individuals in accordance with subsection (n) or any other provisions of the law regarding the delivery of health care by the Secretary;

(B) inform every veteran who receives assistance under this section from the entity of the availability of the veteran to enroll in the patient enrollment system of the Department under section 1708a of title 38, United States Code; and

(C) if such a veteran wishes to enroll, inform the veteran of a point of contact at the Department who can assist the veteran in such enrollment.

(4) MEASUREMENT AND MONITORING.—An entity receiving a grant under this section shall submit to the Secretary a description of such tools and assessments the entity uses or will use to determine the effectiveness of the services furnished by the entity, which shall include the measures developed under subsection (h)(2) and may include—

(A) the effectiveness of the services furnished by the entity on the financial stability of the eligible individual;

(B) the effect of the services furnished by the entity on the health status, wellbeing, and suicide risk of the eligible individual; and

(C) the effect of the services furnished by the entity on the satisfaction of the eligible individuals receiving those services.

(f) REPORTS.—The Secretary—

(A) shall require each entity receiving a grant under this section to submit to the Secretary an annual report that describes the projects carried out with such grant during the year covered by the report;

(B) shall require each entity receiving a grant under this section to submit to the Secretary an evaluation criteria and data and information to be submitted in such report; and

(C) may require each such entity to submit to the Secretary such additional reports as the Secretary considers appropriate.

(g) APPLICATION FOR GRANTS.—

(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit to the Secretary an application therefor in such form, in such manner, and with such commitments and information as the Secretary considers necessary to carry out this section.

(2) MATTERS TO BE INCLUDED.—Each application submitted by an eligible entity under paragraph (1) shall contain the following:

(A) A description of the suicide prevention services proposed to be provided by the eligible entity and the identified need for those services.

(B) A detailed plan describing how the eligible entity proposes to coordinate or deliver the suicide prevention services to eligible individuals, including—

(i) an identification of the community partners, if any, with which the eligible entity proposes to work in delivering such services;

(ii) a description of the arrangements currently in place between the eligible entity and such partners with respect to the provision or coordination of suicide prevention services;

(iii) an identification of how long such arrangements have been in place;

(iv) a description of the suicide prevention services provided by such partners that the eligible entity shall coordinate, if any; and

(v) an identification of local suicide prevention coordinators of the Department and a description of how the eligible entity will communicate with local suicide prevention coordinators.

(C) A description of the population of eligible individuals and their families proposed to be assisted by the eligible entity and the suicide prevention and mental health needs of those individuals.

(D) Based on information and methods developed by the Secretary for purposes of this subsection, an estimate of the number of eligible individuals at risk of suicide and their families proposed to be provided suicide prevention services, including the percentage of those eligible individuals who are not currently receiving care furnished by the Department.

(E) Evidence of measurable outcomes related to reductions in suicide risk and mood-related symptoms utilizing validated instruments by the eligible entity (and the proposed partners of the entity, if any) in providing suicide prevention services to eligible individuals at risk of suicide, particularly to eligible individuals and their families.

(F) A description of the managerial and technological capacity of the eligible entity—

(i) to coordinate the provision of suicide prevention services with the provision of other services;

(ii) to assess on an ongoing basis the needs of eligible individuals and their families for suicide prevention services;</p>
(K) A description of how the eligible entity will assess the effectiveness of the provision of grants under this section.

(L) An agreement to use the measures and metrics established by the Department for the purposes of measuring the effectiveness of the programming as described in subsection (h)(2).

(M) Such additional application criteria as the Secretary considers appropriate.

(g) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary shall provide training and technical assistance, in coordination with the Centers for Disease Control and Prevention, to eligible entities in receipt of grants under this section regarding—

(A) suicide risk identification and management;

(B) the data required to be collected and shared with the Department;

(C) the means of data collection and sharing;

(D) familiarization with and appropriate use of any tool to be used to measure the effectiveness of the use of the grants provided; and

(E) the requirements for reporting under subsection (e)(5) on services provided via such grants.

(2) PROVISION OF TRAINING AND TECHNICAL ASSISTANCE.—The Secretary may provide the training and technical assistance described in paragraph (1) directly or through grants or contracts with appropriate public or nonprofit entities.

(h) ADMINISTRATION OF GRANT PROGRAM.—

(1) SELECTION CRITERIA.—The Secretary, in consultation with entities specified in paragraph (3), shall establish criteria for the selection of entities that have submitted applications under subsection (f).

(2) DEVELOPMENT OF MEASURES AND METRICS.—The Secretary shall develop, in consultation with entities specified in paragraph (3), the following:

(A) A framework for collecting and sharing information about entities in receipt of grants under this section for purposes of improving the services available for eligible individuals and their families, set forth by service type, locality, and eligibility criteria.

(B) The measures and metrics to be used by each entity in receipt of grants under this section to determine the effectiveness of the programming as provided by such entity in improving mental health status, wellbeing, and reducing suicide risk and completed suicides of eligible individuals and their families, which shall include an existing measurement tool or protocol for the grant recipient to utilize when determining programmatic effectiveness.

(C) COORDINATION.—In developing a plan for the design and implementation of the provision of grants under this section, including criteria for the award of grants, the Secretary shall consult with the following:

(A) Veterans service organizations.

(B) National organizations representing potential community partners of eligible entities in providing supportive services to address the needs of eligible individuals and their families, including national organizations that—

(i) advocate for the needs of individuals with or at risk of behavioral health conditions;

(ii) represent mayors;

(iii) represented first responders;

(v) represent chiefs of police and sheriffs;

(vi) represent governors;

(vii) represent a territory of the United States; or

(viii) represent a Tribal allience.

(C) National organizations representing members of the Armed Forces.

(D) National organizations that represent counties.

(E) Organizations with which the Department has a current memorandum of agreement or understanding related to mental health or suicide prevention.

(F) State departments of veterans affairs.

(G) National organizations representing members of the reserve components of the Armed Forces.

(H) National organizations representing members of the Coast Guard.

(I) Organizations, including institutions of higher education, with experience in creating measurement tools for purposes of advising the Secretary on the most appropriate existing measurement tool or protocol for the Department to utilize.

(J) The National Alliance on Mental Illness.

(K) A labor organization (as such term is defined in section 7103(a)(4) of title 5, United States Code).

(L) The Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, the President’s Roadmap to End Veteran’s Suicide, and other organizations as the Secretary considers appropriate.

(2) REPORTING.—Not later than 30 days before notifying eligible entities of the availability of funding under this section, the Secretary shall submit to the appropriate committees of Congress a report containing—

(A) criteria for the award of a grant under this section;

(B) the already developed measures and metrics to be used by the Department to measure the effectiveness of the use of grants provided under this section as described in subsection (h)(2); and

(C) a framework for the sharing of information about entities in receipt of grants under this section.

(i) INFORMATION ON POTENTIAL ELIGIBLE INDIVIDUALS.—

(1) IN GENERAL.—The Secretary may make available to recipients of grants under this section certain information regarding potential eligible individuals who may receive services from the grant recipient who are not recipients of grants to eligible entities under this section.

(2) CONFIRMATION OF WHETHER THE POTENTIAL ELIGIBLE INDIVIDUAL IS ENROLLED.—The Secretary shall allow an opt-out of the effectiveness of grant recipients and their community partners, if any, in conducting outreach to eligible individuals.

(3) EFFECTIVENESS OF INCREASING ELIGIBLE INDIVIDUALS ENGAGEMENT IN SUICIDE PREVENTION SERVICES; AND

(k) SUCH OTHER VALIDATED INSTRUMENTS AND ADDITIONAL MEASURES AS DETERMINED BY THE SECRETARY AND AS DESCRIBED IN SUBSECTION (h)(2).

(2) SUBMITTAL OF INFORMATION BY GRANT RECIPIENTS.—The Secretary may require eligible entities receiving grants under this section to furnish services to any entity that—

(I) advocate for the needs of individuals supported by each grant recipient, including through services provided to family members, disaggregated by—

(1) all demographic characteristics as determined necessary and appropriate by the Secretary in coordination with the Centers for Disease Control and Prevention; and

(2) whether each such eligible individual was referred to the Department for care;

(iv) whether each such eligible individual was referred to the Department for care;

(v) the number of eligible individuals supported by grants under this section, including through services provided to family members;

(vi) the number of eligible individuals supported by grants under this section, including through services provided to family members;

(vii) the number of eligible individuals whose mental health status, wellbeing, and suicide risk was measured by the Department or a community partner over a period of time for any improvements.

(vii) the number of eligible individuals whose mental health status, wellbeing, and suicide risk was measured by the Department or a community partner over a period of time for any improvements.

(viii) the number of eligible individuals referred to the point of contact at the Department under subsection (e)(3)(C).

(ix) the number of eligible individuals newly enrolled in the patient enrollment system of the Department under section 1705(a) of title 38, United States Code;

(x) a description of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xi) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xii) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xiii) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xiv) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xv) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.

(xvi) A detailed account of how the grant funds were used, including executive compensation, overhead costs, and other indirect costs.
section to provide to Congress such informa-
tion as the Secretary determines necessary
regarding the elements described in subpara-
graph (B).
(2) A REPORT.—Not later than three years
after the date on which the first grant
is awarded under this section, and annually
thereafter for each year in which the pro-
gram is effective, the Secretary shall submit
to the appropriate committees of Congress—
(A) a follow-up on the interim report sub-
mitted under paragraph (1) containing the
elements described in subparagraph (B) of
such paragraph; and
(B) a report on—
(i) the necessity of the provision of
grants under this section, including the ef-
f ectiveness of community partners in con-
ducting outreach to eligible individuals and
their families and reducing the rate of sui-
cide among eligible individuals;
(ii) an assessment of the increased capacity
of the Department to provide services to eli-
gible individuals and their families, set forth
by State, as a result of the provision of
grants under this section;
(iii) the feasibility and advisability of ex-
tending the provision of grants consistent with this section; and
(iv) other such elements as considered ap-
propriate by the Secretary.
(3) STUDY OF GRANT PROGRAM.—
(A) IN GENERAL.—Not later than 180 days
after the commencement of the grant pro-
gram under this section, the Secretary shall
seek to enter into a contract with an appro-
priate entity described in paragraph (3) to
conduct a study of the grant program.
(B) ELEMENTS OF STUDY.—In conducting
the study under subparagraph (A), the appro-
priate entity shall—
(i) evaluate the effectiveness of the grant
program under this section in—
(I) addressing the factors that contribute
to suicides;
(II) increasing the use of suicide preven-
tion services;
(III) reducing mood-related symptoms
that increase suicide and suicide risk; and
(IV) where such information is available
during the time frame of the grant program,
reducing suicidal ideation, suicide attempts,
self-harm, and deaths by suicide; and
(V) the following:
(I) Suicide attempts, suicide at-
tempts, self-harm, and deaths by suicide
among eligible individuals through eligible
entities in the communities they serve;
and
(II) compare the results of the grant
program with other national programs in deliv-
ering resources to eligible individuals in the
communities where they live that address the
factors that contribute to suicide.
(B) ASSESSMENT.—
(A) IN GENERAL.—The contract under para-
graph (3) shall specify that not later than 24
months after the commencement of the
grant program under this section, the appro-
priate entity shall submit to the Secretary
an assessment of the study conducted
pursuant to such contract.
(B) SUBMITAL TO CONGRESS.—Upon receipt
of the assessment under subparagraph (A), the
Secretary shall transmit to the appro-
priate committees of Congress a copy of the
assessment.
(4) APPROPRIATE ENTITY.—An appropriate
entity described in this paragraph is a non-
government entity with experience optimiz-
ing and assessing organizations that de-
lever services and assessing the effectiveness
of suicide prevention programs.
(m) REFERAL FOR CARE.—
(1) MENTAL HEALTH ASSESSMENT.—If an eli-
gible entity in receipt of a grant under this
section determines that an eligible individ-
ual is at-risk of suicide or other mental or
behavioral health condition pursuant to a
baseline mental health screening conducted
under subsection (q)(11)(A)(i) with respect to
the individual, the entity shall refer the eli-
gible individual to the Department for addi-
tional care under subsection (n) or any other
provision of law.
(2) EMERGENCY TREATMENT.—If an eligible
entity in receipt of a grant under this sec-
tion determines that an eligible individual
furnished clinical services for emergency
fitness to subsection (q)(11)(A)(iv) re-
quires ongoing services, the entity shall
refer the eligible individual to the Depart-
ment for additional care under subsection (n)
or any other provision of law.
(3) REFUSAL.—If an eligible individual
refuses a referral for emergency care under
paragraph (1) or (2), any ongoing clinical services
provided to the eligible individual by the entity
shall be at the expense of the entity.
(4) PROVISION OF CARE TO ELIGIBLE INDIVI-
DUALS.—When the Secretary determines it is
clinically appropriate, the Secretary shall
furnish to eligible individuals who are re-
cieving or have received suicide prevention
services through grants provided under this
section an initial mental health assessment
with or behavioral health care services
authorized under chapter 17 of title 38, United States Code, that are required to
treat the mental or behavioral health care
needs of the eligible individual, including
risk of suicide.
(5) AGREEMENTS WITH COMMUNITY PART-
ERS.—
(1) IN GENERAL.—Subject to paragraph (2),
an eligible entity may use grant funds to
enter into an agreement with a community
partner under which the eligible entity may
provide funds to the community partner for
the provision of suicide prevention services
to eligible individuals and their families.
(2) LIMITATION.—The ability of a recipient
of a grant under this section to provide grant
funds to a community partner shall be lim-
ited to grant recipients that are a State or
local government or an Indian tribe.
(p) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to the
Secretary to carry out this section a total of
$174,000,000 for fiscal years 2021 through 2025.
(q) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CON-
GRESS.—The term "appropriate committees
of Congress" means—
(A) the Committee on Veterans' Affairs
and the Subcommittee on Military Construc-
tion, Veterans Affairs, and Related Agencies
of the Committee on Appropriations of the
Senate; and
(B) the Committee on Veterans' Affairs
and the Subcommittee on Military Const-
struction, Veterans Affairs, and Related Agencies
of the Committee on Appropriations of the
House of Representatives.
(2) DEPARTMENT.—The term "Department"
means the Department of Veterans Affairs.
(3) ELIGIBLE ENTITY.—The term "eligible
entity" means—
(A) an incorporated private institution
or foundation;
(i) no part of the net earnings of which in-
curs to the benefit of any member, founder,
contributor, or individual; and
(ii) that has a governing board that
would be responsible for the operation of the
suicide prevention services provided under this
section;
(B) a corporation wholly owned and con-
trolled by an organization meeting the re-
quirements of clauses (i) and (ii) of subpara-
graph (A); and
(C) an Indian tribe;
(D) a community-based organization that
can effectively network with local civic or-
ganizations, regional health systems, and
other settings where eligible individuals and
their families are likely to have contact; or
(E) a State or local government.
(4) ELIGIBLE INDIVIDUAL.—The term "elig-
gible individual" includes a person at risk of
suicide who is—
(A) a veteran as defined in section 101 of
title 38, United States Code;
(B) an individual described in section
1720(b) of such title; or
(C) an individual described in any of the
clauses (i) through (iv) of section
172A(a)(1)(C) of such title.
(5) EMERGENCY TREATMENT.—Medical serv-
ices, including professional services, ambulan-
care, ancillary care and medication (includ-
ing a short course of medication related to
treatment of the emergency condition that is
provided directly to or prescribed for the patient for use after
the emergency condition is stabilized and the pa-
tient is discharged) was rendered in a med-
ical emergency of such nature that a prudent
layperson would have reasonably expected
that delay in seeking immediate medical at-
tention would have been hazardous to life or
health. This standard is met by an emer-
gency medical condition manifesting itself
by acute symptoms of sufficient severity (in-
cluding, but not limited to, observations of
layperson who possesses an average knowl-
edge of health and medicine could reason-
ably expect the absence of immediate med-
ical attention to result in placing the health
of the individual in serious jeopardy, serious
impairment to bodily functions, or serious
delay in recovery of an individual.
(6) FAMILY.—The term "family" means,
with respect to an eligible individual, any of
the following:
(A) A parent.
(B) A spouse.
(C) A child.
(D) A sibling.
(E) A step-family member.
(F) An extended family member.
(G) Any other individual who lives with the
eligible individual.
(7) INDIAN TRIBE.—The term "Indian tribe"
has the meaning given that term in section
4 of the Native American Housing Assistance
4103).
(8) RISK OF SUICIDE.—
(A) IN GENERAL.—The term "risk of sui-
cide" means exposure to, or the existence of,
the following:
(I) Health risk factors, including the fol-
lowing:
(1) Mental health challenges.
(II) Substance abuse.
(III) Serious or chronic health conditions
or pain.
(IV) Traumatic brain injury.
(II) Environmental risk factors, including the
following:
(1) Prolonged stress.
(II) Stressful life events.
(III) Unemployment.
(IV) Homelessness.
(V) Recent loss.
(VI) Legal or financial challenges.
(III) Historical risk factors, including the
following:
(I) Veteran suicide.
(II) Family history of suicide.
(III) History of abuse, neglect, or trauma.
(B) DEGREE OF RISK.—The Secretary may,
by regulation, establish the process for deter-
mining degrees of risk of suicide for use by
grant recipients to focus the delivery of serv-
cices using grant funds.
(C) RURAL.—The term "rural", with respect
to a community, has the meaning given that
term in the Rural-Urban Commuting Areas
coding system of the Department of Agri-
culture.
(11) **SUICIDE PREVENTION SERVICES.**—

(A) **IN GENERAL.**—The term “suicide prevention services” means services to address the needs of eligible individuals and their families and includes the following:

(i) Outreach to identify those at risk of suicide with an emphasis on eligible individuals who are at highest risk or who are not receiving other services furnished by the Department.

(ii) A baseline mental health screening for risk.

(iii) Education on suicide risk and prevention to families and communities.

(iv) Provision of clinical services for emergency treatment.

(v) Case management services.

(vi) Peer support services.

(vii) Assistance in obtaining any benefits from the Department that the eligible individual and their family may be eligible to receive, including—

(1) vocational and rehabilitation counseling; and

(II) supportive services for homeless veterans.

(III) employment and training services;

(IV) educational assistance; and

(V) health care services.

(viii) Assistance in obtaining and coordinating the provision of other benefits provided by the Federal, State, or local government, or an eligible entity.

(ix) Assistance with emergent needs relating to—

(I) health care services;

(II) daily living services;

(III) personal financial planning and counseling;

(IV) transportation services;

(V) temporary income support services;

(VI) fiduciary and representative payee services;

(VII) legal services to assist the eligible individual with issues that may contribute to the risk of suicide; and

(VIII) child care (not to exceed $5,000 per family of an eligible individual per fiscal year).

(x) Nontraditional and innovative approaches and treatment practices, as determined appropriate by the Secretary, to reduce the suicide risk of eligible individuals and their families as the Secretary considers appropriate, which may include—

(I) adaptive sports, equine assisted therapy, or in-place or outdoor recreational therapy;

(II) substance use reduction programming;

(III) individual, group, or family counseling; and

(IV) relationship coaching.

(B) **EXCLUSION.**—The term “suicide prevention services” does not include direct cash assistance to eligible individuals or their families.

(12) **VETERANS CRISIS LINE.**—The term “Veterans Crisis Line” means the toll-free hotline for veterans established under section 1720(f) of title 38, United States Code.

(13) **VETERANS SERVICE ORGANIZATION.**—The term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

**SEC. 202. ANALYSIS ON FEASIBILITY AND ADVISABILITY OF THE DEPARTMENT OF VETERANS AFFAIRS: PROVIDING CERTAIN COMPLEMENTARY AND INTEGRATIVE HEALTH SERVICES.**

(a) In General. Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall com-

plete an analysis on the feasibility and advisability of providing complementary and integrative health treatments described in subsection (c) at all medical facilities of the Department of Veterans Affairs.

(b) Inclusion of Assessment of Report. The analysis conducted under subsection (a) shall include an assessment of the final report described in subsection (f), and such recommendations as the Secretary deems appropriate.

(1) **INCLUSION OF ASSESSMENT OF REPORT.**—The analysis conducted under subsection (a) shall include an assessment of the final report described in subsection (f), and such recommendations as the Secretary deems appropriate.

(c) Treatments Described. Complementary and integrative health treatments described in this subsection shall consist of the following:

(1) Yoga.

(2) Meditation.

(3) Acupuncture.

(4) Chiropractic care.

(5) Other treatments that show sufficient evidence of efficacy at treating mental or physical health conditions, as determined by the Secretary.

(d) Report.—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 analysis completed under subsection (a), including—

(1) the results of such an analysis; and

(2) such recommendations regarding the furnishing of complementary and integrative health treatments described in subsection (c) as the Secretary considers appropriate.

**SEC. 203. PILOT PROGRAM TO PROVIDE VETERANS WITH COMPLEMENTARY AND INTEGRATIVE HEALTH PROGRAMS.**

(a) In General. Not later than 180 days after the date on which the Creating Options for Veterans’ Recovery and Employment (COVER) Commission (commonly referred to as the “COVER Commission”) established under section 931 of the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198; 38 U.S.C. 1701 note) submits its final report under subsection (e)(2) of such section, 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 progress of the pilot program described in subsection (b). (b) Programs Described. Complementary and integrative health programs described in this subsection may, taking into consideration the report described in subsection (a), consist of the following:

(1) Equine therapy.

(2) Other animal therapy.

(3) Agritherapy.

(4) Sports and recreation therapy.

(5) Art therapy.

(6) Posttraumatic growth programs.

(7) Eligible Veterans.—A veteran is eligible to participate in the pilot program under this section if the veteran—

(1) is enrolled in the system of patient enrollment of the Department under section 1705(a) of title 38, United States Code; and

(2) has received health care under the laws administered by the Secretary during the two-year period preceding the initial participation of the veteran in the pilot program.

(d) Duration.—

(1) In General.—The Secretary shall carry out the pilot program under this section for a three-year period beginning on the commencement of the pilot program.

(2) Extension.—The Secretary may extend the duration of the pilot program under this section if the Secretary, based on the results of the interim report submitted under subsection (b)(1), determines that it is appropriate to do so.
benzodiazepine on all-cause mortality of veterans, including suicide, regardless of whether information relating to such deaths has been reported by the Centers for Disease Control and Prevention.; and
(2) GOALS.—In carrying out the collaboration and coordination under paragraph (1), the Secretary shall seek as much as possible to achieve the same advancement of useful knowledge as the 2019 study described in such paragraph.
(3) VIEW OF STAFFING LEVELS FOR MENTAL HEALTH PROFESSIONALS.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the staffing levels for mental health professionals of the Department.
(2) ELEMENTS.—The review required by paragraph (1) shall include a description of the efforts of the Department to maintain appropriate staffing levels for mental health professionals, such as mental health counselors, marriage and family therapists, and other appropriate counselors, including the following:
(A) A description of any impediments to carry out the education, training, and hiring of mental health counselors and marriage and family therapists under section 7302(a) of title 38, United States Code, and strategies for addressing those impediments.
(B) A description of the objectives, goals, and timing of the Department with respect to improvements in the representation of such counselors and therapists in the behavioral health workforce of the Department, including:
(i) A review of qualification criteria for such counselors and therapists and a comparison of such criteria to that of other behavioral health professions in the Department;
(ii) an assessment of the participation of such counselors and therapists in the mental health professionals trainee program of the Department and any impediments to such participation.
(C) An assessment of the development by the Department of hiring guidelines for mental health counselors, marriage and family therapists, and other appropriate counselors.
(D) A description of how the Department—
(i) identifies gaps in the supply of mental health counselors and marriage and family therapists;
(ii) determines successful staffing ratios for mental health professionals of the Department;
(E) A description of actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to create an occupational series for mental health counselors and marriage and family therapists of the Department and a timeline for the creation of such an occupational series;
(F) A description of actions taken by the Secretary to ensure that the national, regional, and local professional standards boards for the health counselors and marriage and family therapists are comprised of only mental health counselors and marriage and family therapists and that the liaison to the National Directory of Licensed Professionals is a mental health counselor or marriage and family therapist.

(c) COMPILATION OF DATA.—The Secretary of Veterans Affairs shall ensure that data under subsections (a) and (b) is compiled separately and disaggregated by year and compiled in a manner that allows it to be analyzed by Veterans Affairs for purposes of informing and updating clinical practice guidelines of the Department of Veterans Affairs.

(d) REPORT.—The Secretary of Veterans Affairs shall brief the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives containing the interim results:
(1) with respect to the study under subsection (a) not later than 24 months after entering into the agreement under such subsection; and
(2) with respect to the review under subsection (b) not later than 24 months after the date of the enactment of this Act.
(e) REPORTS.—
(1) REPORT ON STUDY.—Not later than 90 days after the completion by the Secretary of Veterans Affairs in coordination with the National Academies of Sciences, Engineering, and Medicine of the study required under subsection (c), the Secretary shall—
(A) 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 results of the study; and
(B) make such report publicly available.
(2) REPORT ON REVIEW.—Not later than 90 days after the completion by the Comptroller General of the United States of the review required under subsection (b)(1), the Comptroller General shall—
(A) 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 results of the review; and
(B) make such report publicly available.

SEC. 205. COMPTROLLER GENERAL REPORT ON MANAGEMENT BY DEPARTMENT OF VETERANS AFFAIRS OF VETERANS AT HIGH ALTITUDE AND SUICIDE RISK FACTORS AMONG VETERANS.

(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 Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the efforts of the Department to maintain veterans at high risk for suicide.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:
(1) A description of how the Department identifies patients at high risk for suicide, with particular consideration to the efficacy of inputs into the Recovery Engagement and Coordination for Health – Veterans Enhanced Treatment program (commonly referred to as the ‘REACH VET’ program) of the Department, including an assessment of the efficacy of such identification disaggregated by—
(A) all demographic characteristics as determined necessary and appropriate by the Secretary of Veterans Affairs in coordination with the Centers for Disease Control and Prevention;
(B) Veterans Integrated Service Network; and
(C) to the extent practicable, medical center of the Department.
(2) A description of how the Department intervenes when a patient is identified as high risk, including an assessment of the efficacy of such interventions disaggregated by—
(A) all demographic characteristics as determined necessary and appropriate by the Secretary in coordination with the Centers for Disease Control and Prevention;
(B) Veterans Integrated Service Network; and
(C) to the extent practicable, medical center of the Department.
(3) A description of how the Department monitors patients who have been identified as high risk, including an assessment of the efficacy of such monitoring and any follow-up actions taken.

SEC. 206. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF A CLINICAL PROVIDER TREATMENT TOOLKIT AND ACCOMPANYING TRAINING MATERIALS FOR COMORBIDITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop a clinical provider treatment toolkit and accompanying training materials for the evidence-based management of comorbid mental health conditions, co-occurring substance use disorders, and a comorbid mental health condition and chronic pain.
SEC. 304. ESTABLISHMENT BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE OF CLINICAL PRACTICE GUIDELINES FOR THE TREATMENT OF SERIOUS MENTAL ILLNESS.

(a) In General.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall create a work group to develop the clinical practice guideline or guidelines for the treatment of serious mental illness, to include the following conditions: (1) Schizophrenia. (2) Schizoaffective disorder. (3) Persistent mood disorder, including bipolar disorder. (4) Any other mental, behavioral, or emotional disorder resulting in serious functional impairment that substantially interferes with major life activities as the Secretary determines. 

(b) Matters Included in Guidelines.—The clinical practice guideline or guidelines developed under subsection (a) shall include the following: (1) Guidance contained in the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders of the Department of Veterans Affairs and the Department of Defense. (2) Guidance with respect to the treatment of patients with a condition described in subsection (a). (3) A list of evidence-based therapies for the treatment of conditions described in subsection (a). (4) An appropriate guideline for the administration of pharmacological therapy, psychological or behavioral therapy, or other therapy for the management of conditions described in subsection (a).

(c) Assessment of Existing Guidelines.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, shall complete an assessment of the 2016 Clinical Practice Guidelines for the Management of Major Depressive Disorders to determine whether an update to such guidelines is necessary.

(d) Use of Data.— (1) Privacy and Security.—In carrying out the purposes of this section, the Secretary shall develop robust data privacy and security measures, consistent with section 522a of title 5, United States Code (commonly known as the “Privacy Act of 1974”), and regulations promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996 (parts 160, 162, and 164 of title 45, Code of Federal Regulations, as successor regulations) to ensure that information of veterans participating in the initiative under subsection (a) is kept private and secure.

(b) Model of Initiative.—The initiative under subsection (a) shall be modeled on the precision medicine initiative administered by the National Institutes of Health with respect to large-scale collection of individualized data and applications for precision medicine.

(c) Methods.—The initiative under subsection (a) shall include brain structure and function measurements, such as functional magnetic resonance imaging and electroencephalogram, and shall coordinate with additional biological methods of analysis utilized in the Million Veterans Program of the Department of Veterans Affairs.

(d) Use of Data.— (1) Privacy and Security.—In carrying out the purposes of this section, the Secretary shall develop robust data privacy and security measures, consistent with section 522a of title 5, United States Code (commonly known as the “Privacy Act of 1974”), and regulations promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996 (parts 160, 162, and 164 of title 45, Code of Federal Regulations, as successor regulations) to ensure that information of veterans participating in the initiative under subsection (a) is kept private and secure.

(2) Consultation with the National Institutes of Science and Technology.—The Secretary may consult with the National Institutes of Science and Technology in developing the model and regulations described in section 522a of title 5, United States Code.

(3) Access Standards.—The Secretary shall provide access to information under the initiative consistent with the standards described in section 522a of title 5, United States Code.

(4) Open Platform.— (A) Availability of Data.—The Secretary shall make de-identified data available for research purposes to Federal agencies.

(B) Contract.—The Secretary shall contract with nongovernment entities that comply with the data privacy requirements described in paragraph (1) to make available for research purposes de-identified data collected under the initiative.
TITLE IV—OVERSIGHT OF MENTAL HEALTH CARE AND RELATED SERVICES
SEC. 401. STUDY ON EFFECTIVENESS OF SUICIDE PREVENTION AND MENTAL HEALTH OUTREACH CAMPAIGNS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with a non-Federal Government entity with expertise in conducting research-based studies or conducting a study on the effectiveness of the suicide prevention and mental health outreach materials prepared by the Department of Veterans Affairs and the suicide prevention and mental health outreach campaigns conducted by the Department.

(b) Use of Data.—

(1) In General.—The Secretary shall convene not fewer than eight different focus groups to evaluate the effectiveness of the suicide prevention and mental health materials and campaigns as required under subsection (a).

(2) Location of Focus Groups.—Focus groups convened under paragraph (1) shall be held in geographically diverse areas as follows:

(A) Not fewer than two in rural or highly rural areas;

(B) Not fewer than one in each of the four districts of the Veterans Benefits Administration;

(c) Report.—

(1) Focus Groups.—Focus groups convened under paragraph (1) shall include veterans of different backgrounds, including—

(A) veterans of all eras, as determined by the Secretary;

(B) women veterans;

(C) minority veterans;

(D) Native American veterans, as defined in section 3765 of title 38, United States Code;

(E) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as “LGBTQ”);

(F) veterans who live in rural or highly rural areas;

(G) individuals transitioning from active duty in the Armed Forces to civilian life; and

(H) other high-risk groups of veterans, as determined by the Secretary.

(b) Reporting.—

(1) Focus Groups.—

(A) In General.—Not later than 90 days after the last focus group meeting under subsection (b), the Secretary shall complete a report on the findings of the focus groups.

(B) Elements.—The report required by paragraph (1) shall include the following:

(a) Based on the findings of the focus groups, an assessment of the effectiveness of current suicide prevention and mental health outreach materials prepared by the Department in reaching veterans as a whole as well as specific groups of veterans (for example, women veterans);

(b) Based on the findings of the focus groups, recommendations for future suicide prevention and mental health materials and campaigns of the Department to target specific groups of veterans;

(c) A plan to change the current suicide prevention and mental health materials and campaigns of the Department or, if the Secretary decides not to change the current materials and campaigns, an explanation of the reason for maintaining the current materials and campaigns.

(d) A description of any dissenting or opposing viewpoints raised by participants in the focus group.

(e) Other issues as the Secretary considers necessary.

(d) Representative Survey.—

(1) In General.—Not later than one year after the last focus group meeting under subsection (b), the Secretary shall complete a representative survey of the veteran population that is informed by the focus group data in order to collect information about the effectiveness of the mental health and suicide prevention materials and campaigns conducted by the Department.

(2) Veteran Surveyed.—

(A) In General.—Veterans surveyed under paragraph (1) shall include veterans described in subsection (b)(5).

(B) Disaggregation of Data.—Data of veterans surveyed under paragraph (1) shall be disaggregated by—

(i) veterans who have received care from the Department during the two-year period preceding the survey; and

(ii) veterans who have not received care from the Department during the two-year period preceding the survey.

(e) Treatment of Contracts for Suicide Prevention and Mental Health Outreach Media.—

(1) Focus Groups.—

(A) In General.—The Secretary shall include in each contract to develop media relating to suicide prevention and mental health materials and campaigns a requirement that the contractor convene focus groups of veterans to assess the effectiveness of suicide prevention and mental health outreach.

(B) Representation.—Each focus group required under paragraph (a) shall, to the extent practicable, include veterans of diverse backgrounds, including—

(i) veterans of all eras, as determined by the Secretary;

(ii) women veterans;

(iii) minority veterans;

(iv) Native American veterans, as determined in section 3765 of title 38, United States Code;

(v) veterans who identify as lesbian, gay, bisexual, transgender, or queer (commonly referred to as “LGBTQ”);

(vi) veterans who live in rural or highly rural areas;

(vii) individuals transitioning from active duty in the Armed Forces to civilian life; and

(viii) other high-risk groups of veterans, as determined by the Secretary.

(2) Subcontracting.—

(A) In General.—The Secretary shall include in each contract described in paragraph (1)(A) a requirement that, if the contractor convenes subcontractors for the development of media, the contractor shall subcontract with a subcontractor that has experience creating impactful media campaigns that target individuals age 18 to 34.

(B) Budget Limitation.—Not more than two percent of the budget of the Office of Mental Health and Suicide Prevention of the Department for contracts for suicide prevention and mental health media outreach shall go to subcontractors described in paragraph (A).

(f) Paperwork Reduction Act Exemption.—Chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”) shall not apply to any rulemaking or information collection required under this section.
(g) RURAL AND HIGHLY RURAL DEFINED.—In this section, with respect to an area, the terms “rural” and “highly rural” have the meanings given those terms in the Rural-Urban Continuum of Areas coding system of the Department of Agriculture.

SEC. 402. OVERSIGHT OF MENTAL HEALTH AND SUICIDE PREVENTION MEDIA OUTREACH CONDUCTED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF GOALS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish goals for the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, which shall include the establishment of targets, metrics, and action plans to describe and assess those campaigns.

(2) USE OF METRICS.—

(A) IN GENERAL.—The goals established under paragraph (1) shall be measured by metrics specific to different media types.

(B) FACTORS TO CONSIDER.—In using metrics under subparagraph (A), the Secretary shall determine the best methodological approach for each media type and shall consider the following:

(i) Metrics relating to social media, which may include the following:

(I) Impressions.

(II) Reach.

(III) Engagement rate.

(iv) Other metrics as the Secretary considers necessary.

(ii) Metrics relating to television, which may include the following:

(I) Nielsen ratings.

(II) Such other metrics as the Secretary considers necessary.

(iii) Metrics relating to email, which may include the following:

(I) Open rate.

(II) Response rate.

(III) Click rate.

(iv) Such other metrics as the Secretary considers necessary.

(C) UPDATE.—The Secretary shall periodically update the metrics used under subparagraph (B) as more accurate metrics become available.

(3) TARGETS.—The Secretary shall establish targets to track the metrics used under paragraph (2).

(4) CONSULTATION.—In establishing goals under paragraph (1), the Secretary shall consult with:

(A) Relevant stakeholders, such as organizations that represent veterans, as determined by the Secretary.

(B) Mental health and suicide prevention experts.

(C) Such other persons as the Secretary considers appropriate.

(5) INITIAL REPORT.—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 detailing the goals established under paragraph (1) for the mental health and suicide prevention media outreach campaigns of the Department, including the metrics and targets for such metrics by which those goals are to be measured under paragraphs (2) and (3).

(6) ANNUAL REPORT.—Not later than one year after the submittal of the report under paragraph (5), and annually thereafter, 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 detailing:

(A) the progress of the Department in meeting the goals established under paragraph (1) and the targets established under paragraph (3); and

(B) a description of action to be taken by the Department to modify mental health and suicide prevention media outreach campaigns if those goals and targets are not being met.

(b) REPORT ON USE OF FUNDS BY OFFICE OF MENTAL HEALTH AND SUICIDE PREVENTION.—

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives a report containing the expenditures and obligations of the Office of Mental Health and Suicide Prevention of the Veterans Health Administration during the period covered by the report.

SEC. 403. COMPTROLLER GENERAL MANAGEMENT REVIEW OF MENTAL HEALTH AND SUICIDE PREVENTION SERVICES OF DEPARTMENT OF VETERANS AFFAIRS.

(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 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 efforts of the Department of Veterans Affairs to integrate mental health care into primary care clinics of the Department.

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

(1) An assessment of the infrastructure of the Department to integrate community-based mental health care and primary care, including roles and responsibilities for each position.

(2) A description of the operational policies and processes of the Office of Mental Health and Suicide Prevention.

(3) An assessment of how the health care of veterans is impacted by such integration.

(4) An assessment of how effectively the Department can more effectively coordinate between the Department and primary care medical providers.

(5) An assessment of how the Department can better integrate mental health care into primary care clinics of the Department.

(6) An assessment of the communication, and the effectiveness of such communication—

(A) within the central office of the Office of Mental Health and Suicide Prevention;

(B) between that central office and any staff member or office in the field, including chaplains, law enforcement person nel, and volunteers; and

(C) between that central office, local facilities of the Department, and community partners of the Department, including first responders, community support groups, and health care industry partners.

(7) An assessment of how effectively the Office of Mental Health and Suicide Prevention implements operational policies and procedures.

(8) An assessment of how the Department of Veterans Affairs and the Department of Defense coordinate suicide prevention efforts, and recommendations on how the Department of Veterans Affairs and the Department of Defense can more effectively coordinate those efforts.

(9) An assessment of other areas as the Comptroller General considers appropriate to study.

SEC. 404. COMPTROLLER GENERAL REPORT ON EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS TO INTEGRATE MENTAL HEALTH CARE INTO PRIMARY CARE CLINICS.

(a) INITIAL REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States 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 efforts of the Department of Veterans Affairs to integrate mental health care into primary care clinics of the Department.

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

(1) An assessment of how the health care of veterans is impacted by such integration.

(2) A description of how care is coordinated between the Department and primary care medical providers.

(3) An assessment of how well the Department can better integrate mental health care into primary care clinics of the Department.

(4) An assessment of how veterans must travel to different facilities of the Department.

(5) An assessment of such other areas as the Comptroller General considers appropriate to study.

(b) COMMUNITY CARE INTEGRATION REPORT.—

(1) IN GENERAL.—Not later than two years after the date on which the Comptroller General submits the report required under subsection (a), the Comptroller General 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 efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

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

(A) An assessment of the efforts of the Department to integrate community-based mental health care into the Veterans Health Administration.

(B) An assessment of the effectiveness of such efforts.

(C) An assessment of how the health care of veterans is impacted by such integration.

(D) A description of how care is coordinated between providers of community-based mental health care and the Veterans Health Administration, including a description of how documents and patient information are
transferred and the effectiveness of those transfers between—

(i) the Veterans Health Administration and providers of community-based mental health care; and

(ii) providers of community-based mental health care and the Veterans Health Administration.

(E) An assessment of any disparities in the coordination of community-based mental health care into the Veterans Health Administration by location and type of facility.

(F) A report of the military cultural competency of health care providers providing community-based mental health care to veterans.

(G) Such recommendations on how the Department can better integrate community-based mental health care into the Veterans Health Administration as the Comptroller General considers appropriate.

(H) An assessment of such other areas as the Comptroller General considers appropriate.

(3) COMMUNITY-BASED MENTAL HEALTH CARE DEFINED.—In this subsection, the term ‘community-based mental health care’ means mental health care paid for by the Department but provided by a non-Department health care provider at a non-Department facility, including care furnished under section 1903 of title 13, United States Code (as in effect on the date specified in section 101(b) of the Caring for Our Veterans Act of 2018 (title I of Public Law 115-417)).

SEC. 405. JOINT MENTAL HEALTH PROGRAMS BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.

(a) REPORT ON MENTAL HEALTH PROGRAMS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs and the Secretary of Defense shall submit to the Committee on Veterans’ Affairs and the Committee on Armed Services of the House of Representatives, and the Committee on Veterans’ Affairs and the Committee on Armed Services of the Senate, a report on mental health programs of the Department of Veterans Affairs and the Department of Defense and joint programs of the Departments.

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

(A) A description of mental health programs operated by the Department of Veterans Affairs, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including centers of excellence of the Department of Veterans Affairs for traumatic brain injury and post-traumatic stress disorder.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and any other issues or conditions as the Secretary of Veterans Affairs considers necessary.

(B) A description of mental health programs operated by the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives, including the Intrepid Center of Excellence and the Intrepid Spirit Centers.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and any other issues or conditions as the Secretary of Defense considers necessary.

(C) A description of mental health programs operated by the Department of Veterans Affairs and the Department of Defense, including the following:

(i) Transition assistance programs.

(ii) Clinical and non-clinical mental health initiatives.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions, to include post-traumatic stress disorder, depression, anxiety, bipolar disorder, traumatic brain injury, suicidal ideation, and completed suicides, including Veterans related to post-traumatic stress.

(v) Integrated service networks, including filling any open positions.

(vi) A description of any local retention or engagement incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks and medical centers of the Department.

(vii) A description of any region-specific hiring incentives to be used by the Secretaries in consultation with the directors of Veterans Integrated Service Networks and medical centers of the Department.

(viii) A description of any local retention or engagement incentives to be used by directors of Veterans Integrated Service Networks.

(E) Recommendations for coordinating mental health programs of the Department of Veterans Affairs and the Department of Defense to improve the effectiveness of those programs.

(F) Recommendations for novel joint programming of the Department of Veterans Affairs and the Department of Defense to improve the mental health of members of the Armed Forces.

(G) A description of any region-specific hiring incentives to be used by the Secretaries in consultation with the directors of Veterans Integrated Service Networks and medical centers of the Department.

(b) EVALUATION OF COLLABORATIVE EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE AND ALTERNATIVES OF ANALYSIS AND IMPLEMENT A JOINT VADOD INTREPID SPIRIT CENTER.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall evaluate the current ongoing collaborative efforts of the Department of Veterans Affairs and the Department of Defense to improve the quality of care and access to care and seek potential new collaborative efforts to expand such care for veterans and members of the Armed Forces.

(b) EVALUATION OF COLLABORATIVE EFFORTS OF DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE AND ALTERNATIVES OF ANALYSIS AND IMPLEMENT A JOINT VADOD INTREPID SPIRIT CENTER.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall evaluate the current ongoing collaborative efforts of the Department of Veterans Affairs and the Department of Defense to improve the quality of care and access to care and seek potential new collaborative efforts.

(c) A comparison of any regional or administrative action as the Secretary considers necessary or advisable to improve and expand mental health staffing for the Department.

(d) A description of any local retention or engagement incentives to be used by the Secretary in consultation with the directors of Veterans Integrated Service Networks and medical centers of the Department.

(e) Such recommendations for legislative or administrative action as the Secretary considers necessary or advisable to improve and expand mental health staffing for the Department.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Office of Personnel Management, shall develop an occupational series for licensed professional mental health counselors and marriage and family therapists of the Department of Veterans Affairs.

SEC. 502. ESTABLISHMENT OF DEPARTMENT OF VETERANS AFFAIRS READJUSTMENT COUNSELING ADVISORY COMMITTEE.

(a) IN GENERAL.—Chapter 76 of title 38, United States Code, is amended by inserting after subchapter VIII the following new subchapter:
§ 7698. Requirement for program

As part of the Educational Assistance Program, the Secretary shall carry out a scholarship program under this subchapter. The program shall be known as the Department of Veterans Affairs Readjustment Counseling Service Scholarship Program (in this subchapter referred to as the ‘Program’).

§ 7699. Eligibility; agreement

(a) IN GENERAL.—An individual is eligible to participate in the Program, as determined by the Readjustment Counseling Service of the Department, if the individual—

(1) is accepted for enrollment or enrolled (as described in section 7602 of this title) in a program of study at an accredited educational institution, school, or training program leading to a terminal degree in psychology, social work, marriage and family therapy, or mental health counseling that would meet the education requirements for appointment to a position under section 7668 of this title; and

(2) enters into an agreement with the Secretary under subsection (c).

(b) PRIORITY.—In selecting individuals to participate in the Program, the Secretary shall give priority to the following individuals:

(1) An individual who agrees to be employed by a Vet Center located in a community that is—

(A) designated as a medically underserved population under section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)); and

(B) in a State with a per capita population of veterans of more than five percent according to the National Center for Veterans Analysis and Statistics and the Bureau of the Census.

(2) An individual who is a veteran.

(c) AGREEMENT.—An agreement between the Secretary and a participant in the Program shall be known as the Readjustment Counseling Service Scholarship Program, the Secretary’s obligation under such agreement, and the scholarship program provided for in subchapter IX of chapter 76 of title 38.

(1) AN AGREEMENT.—The agreement shall include the following:

(A) the amount of scholarship aid to be made available to the participant; and

(B) the term of obligated service under section 7604 of this title.

(2) DETERMINATION OF SERVICE COMMENCEMENT DATE.—(1) Not later than 60 days before the commencement date of the program at a Vet Center (as defined in section 7699(d) of this title) for the program of study set forth in subsection (d), the Secretary shall notify the participant of the date on which the participant must report to the Vet Center.

(3) The date specified in paragraph (1) shall be the date the participant is required to report to the Vet Center for the purposes of participating in the program.

(4) The term of obligated service shall begin on the date of commencement of the Program.

§ 7699A. Obligated service

(a) IN GENERAL.—Each participant in the Program shall provide service to the United States as a participant in the Readjustment Counseling Service, or any other service approved by the Secretary, for which the Secretary shall require the participant to serve as a full-time employee of the Department at a Vet Center for a six-year period following the completion by the participant of such program of study (in this subchapter referred to as the ‘period of obligated service’).

(d) VET CENTER DEFINED.—In this section, the term ‘Vet Center’ has the meaning given that term in section 1712A(h) of this title.

§ 7698A. Breach of agreement; liability

(a) LIQUIDATED DAMAGES.—(1) A participant in the Program (other than a participant described in subsection (b)) who fails to accept payment, in whole or in part, of a scholarship under the agreement entered into under this section shall be liable to the United States for liquidated damages in the amount of $1,500.

(2) Liability under paragraph (1) is in addition to any other obligation or liability under such agreement.

(b) LIABILITY DURING PERIOD OF STUDY.—(1) Except as provided in subsection (d), a participant in the Program shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the agreement for any of the following:

(A) The participant fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the agreement entered into under this section for any of the following reasons:

(i) The participant voluntarily terminates the program of study in such educational institution.

(ii) The participant is dismissed from the educational institution for disciplinary reasons.

(C) The participant voluntarily terminates the program of study in such educational institution before the completion of such program.

(2) Liability under this subsection is in lieu of any other service obligation arising under the agreement.

(c) LIABILITY DURING PERIOD OF OBLIGATED SERVICE.—(1) Except as provided in subsection (d), if a participant in the Program does not complete the period of obligated service of the participant, the United States is entitled to recover, from the participant an amount determined in accordance with the following formula:

\[ A = 300(t - \frac{s}{12}) \]

in which—

(A) ‘A’ is the amount the United States is entitled to receive.

(B) ‘s’ is the sum of—

(i) the amounts paid under this subchapter to or on behalf of the participant; and

(ii) the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the United States.

(C) ‘t’ is the total number of months in the period of obligated service of the participant.

(2) The date specified in paragraph (1): (a) LIQUIDATED DAMAGES.—(1) A participant in the Program (other than a participant described in subsection (b)) who fails to accept payment, in whole or in part, of a scholarship under the agreement entered into under this section shall be liable to the United States for liquidated damages in the amount of $1,500.

(b) LIABILITY DURING PERIOD OF STUDY.—(1) Except as provided in subsection (d), a participant in the Program shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the agreement for any of the following:

(A) The participant fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the agreement entered into under this section for any of the following reasons:

(i) The participant voluntarily terminates the program of study in such educational institution.

(ii) The participant is dismissed from the educational institution for disciplinary reasons.

(C) The participant voluntarily terminates the program of study in such educational institution before the completion of such program.

(2) Liability under this subsection is in lieu of any other service obligation arising under the agreement.

(c) LIABILITY DURING PERIOD OF OBLIGATED SERVICE.—(1) Except as provided in subsection (d), if a participant in the Program does not complete the period of obligated service of the participant, the United States is entitled to recover, from the participant an amount determined in accordance with the following formula:

\[ A = 300(t - \frac{s}{12}) \]

in which—

(A) ‘A’ is the amount the United States is entitled to receive.

(B) ‘s’ is the sum of—

(i) the amounts paid under this subchapter to or on behalf of the participant; and

(ii) the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the United States.

(C) ‘t’ is the total number of months in the period of obligated service of the participant.

(2) The date specified in paragraph (1):
(A) recommendations on what eligibility criteria could be expanded; and
(B) an assessment of potential costs and increased infrastructure requirements if eligibility criteria are expanded.

(3) An assessment of the use of Vet Centers by members of the reserve components of the Armed Forces who were never activated and recommendations on how to better reach those members.

(4) An assessment of the use of Vet Centers by eligible family members of former members of the Armed Forces and recommendations on how to better reach those family members.

(5) An assessment of the efficacy of group therapy and the level of training of providers at Vet Centers in administering group therapy.

(6) An assessment of the ability of creating a suicide prevention coordinator program office.

(7) An assessment of the feasibility and advisability of offering appointments outside the usual operating hours of facilities of the Department that do not offer such appointments; and

(8) An assessment of the feasibility and advisability of offering appointments outside the usual operating hours of facilities of the Department that offer such appointments.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) The findings of the survey conducted under subsection (a);
(B) The findings of the survey conducted under subsection (a) in the case of Vet Centers in administering group therapy.

(3) An assessment of the advisability of creating a suicide prevention coordinator program office.

(4) An assessment of the implementation of paragraph (1) shall include the following:

(A) The findings of the survey conducted under subsection (a);
(B) The findings of the survey conducted under subsection (a) in the case of Vet Centers in administering group therapy.

(5) An assessment of the advisability of creating a suicide prevention coordinator program office.

(6) An assessment of the implementation of paragraph (1) shall include the following:

(A) The findings of the survey conducted under subsection (a);
(B) The findings of the survey conducted under subsection (a) in the case of Vet Centers in administering group therapy.

(7) An assessment of the advisability of creating a suicide prevention coordinator program office.

(8) An assessment of the implementation of paragraph (1) shall include the following:

(A) The findings of the survey conducted under subsection (a);
(B) The findings of the survey conducted under subsection (a) in the case of Vet Centers in administering group therapy.

(2) An innovative project, known as Suicide Assessment and Follow-up Engagement: Veteran Emergency Treatment (in this subsection referred to as “SAFE VET”), was designed to help suicidal veterans seen at emergency departments in the Veterans Health Administration and was successfully implemented in five intervention sites beginning in 2010.

(3) A 2018 study found that safety planning interventions under SAFE VET, which is associated with 45 percent fewer suicidal behaviors in the six-month period following emergency department care and more than double the odds of a veteran engaging in outpatient behavioral health care.

(4) SAFE VET is a promising alternative and acceptable delivery of care system that assesses the treatment of suicidal veterans in emergency departments of the Veterans Health Administration and helps ensure that those veterans have appropriate follow-up care.

(5) Beginning in September 2018, the Veterans Health Administration implemented a suicide prevention program, known as the SPED program, for veterans presenting to an emergency department or urgent care center of the Veterans Health Administration who are assessed to be at risk for suicide and are safe to be discharged home.

(6) The SPED program includes issuance and update of a safety plan and post-discharge follow-up outreach for veterans to facilitate engagement in outpatient mental health care.

(b) Report.—In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the efforts of the Secretary to implement a suicide prevention program for veterans presenting to an emergency department or urgent care center of the Department of Veterans Affairs, including an assessment of the following:

(i) Training provided to clinicians or other personnel administering protocols under the SPED program.
(ii) Any disparities in implementation of such protocols between facilities and suicide prevention case managers in comparison with current staffing ratios for mental health providers within each medical center of the Department.
(iii) The viability of creating a suicide prevention coordinator program office.

(3) An assessment of the implementation of the current operational policies and procedures of the SPED program at each medical center of the Department of Veterans Affairs, including an assessment of the following:

(i) Training provided to clinicians or other personnel administering protocols under the SPED program.
(ii) Any disparities in implementation of such protocols between facilities and suicide prevention case managers in comparison with current staffing ratios for mental health providers within each medical center of the Department.
(iii) The viability of creating a suicide prevention coordinator program office.
Methodology used to assess the quality of a safety plan and post-discharge outreach for veterans; or
(ii) in the absence of such methodology, a proposal and timelines for creating a methodology to ensure compliance with the evidence-based model used under the Suicide Assessment and Follow-up Engagement—Veterans Treatment (SAFE VET) program of the Department.
(B) An assessment of the implementation of the policies and procedures described in subparagraph (A), including:
(i) an assessment of the quality and quantity of safety plans issued to veterans.
(ii) an assessment of the quality and quantity of post-discharge outreach provided to veterans.
(iii) The post-discharge rate of veteran engagement in outpatient mental health care, including attendance at not fewer than one individual mental health clinic appointment or admission to an inpatient or residential unit.
(iv) The number of veterans who decline safety planning efforts during protocols under the SPED program.
(v) The number of veterans who decline to participate in follow-up efforts within the SPED program.
(C) A description of how SPED primary coordinators are deployed to support such efforts, including:
(i) A description of the duties and responsibilities of such coordinators.
(ii) The number and location of such coordinators.
(iii) A description of training provided to such coordinators.
(iv) An assessment of the other responsibilities for such coordinators and, if applicable, differences in patient outcomes when such responsibilities are full-time duties as opposed to secondary duties.
(D) An assessment of the feasibility and advisability of expanding the total number and geographic distribution of SPED primary coordinators.
(E) An assessment of the feasibility and advisability of providing services under the SPED program via telehealth channels, including an analysis of opportunities to leverage telehealth to better serve veterans in rural areas.
(F) A description of the status of current capabilities for such coordinators and, if applicable, differences in patient outcomes under the SPED program.
(G) Such recommendations, including specific action items, as the Secretary considers appropriate with respect to how the Department can better implement the SPED program, including recommendations with respect to the following:
(i) A process to standardize training under such program.
(ii) Any resourcing requirements necessary to implement the SPED program throughout Veterans Health Administration, including by having a dedicated clinician responsible for administration of such program at each medical center.
(iii) An analysis of current statutory authority and any changes necessary to fully implement the SPED program throughout the Veterans Health Administration.
(iv) A timeline for the implementation of the SPED program through the Veterans Health Administration, including once full existing and an approved training plan are in place.
(H) Such other matters as the Secretary considers appropriate.
Definition.—In this section:
(1) COMMITTEE OR CONGRESSIONAL RECORD.—The term "appropriate committees of Congress" means—
(A) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and
(B) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.
(2) SPED PRIMARY COORDINATOR.—The term "SPED primary coordinator" means the main point of contact responsible for administering the SPED program at a medical center of the Department.
(3) SPED PROGRAM.—The term "SPED program" means the program in E-VA (Emergency Departments program of the Department of Veterans Affairs established in September 2018 for veterans presenting to the emergency department who are assessed to be at risk for suicide and are safe to be discharged home, which extends the evidence-based intervention for suicide prevention to all emergency departments of the Veterans Health Administration.

Title VI—Improvement of Care and Services for Women Veterans

Sec. 601. Expansion of Capabilities of Women Veterans Call Center to Include Text Messaging.

The Secretary of Veterans Affairs shall expand the capabilities of the Women Veterans Call Center of the Department of Veterans Affairs to include a text messaging capability.

Sec. 602. Requirement for Department of Veterans Affairs Internet Website to Provide Information on Services Available to Women Veterans.

(A) In General.—The Secretary of Veterans Affairs shall survey the Internet websites and information resources of the Department of Veterans Affairs in effect on the day before the date of the enactment of this Act and publish an Internet website that serves as a centralized source for the provision to women veterans of information about the benefits and services available to them under laws administered by the Secretary.

(B) Elements.—The Internet website published under subsection (a) shall provide to women veterans information regarding all services available to such veterans, including, with respect to each medical center and community-based outpatient clinic in the applicable Veterans Integrated Service Network—
(I) the name and contact information of each women’s health coordinator;
(II) a list of appropriate staff for other benefits available from the Veterans Benefits Administration, the National Cemetery Administration, and such other entities as the Secretary determines appropriate;
(III) a list of other information as the Secretary determines appropriate.
(C) Updated Information.—The Secretary shall ensure that the information described in subsection (b) is published on the Internet website required by subsection (a) is updated not less frequently than once every 90 days.

(D) Outreach.—In carrying out this section, the Secretary shall—
(I) require that the outreach conducted under section 1720F of title 38, United States Code, includes information regarding the Internet website required by subsection (a);
(II) make grants available to the Secretary to publish Internet websites of the Department.

Title VII—Other Matters

Sec. 701. Expanded Telehealth from Department of Veterans Affairs.

(A) In General.—The Secretary of Veterans Affairs shall enter into agreements, grants, contract, or model existing agreements with organizations that represent or serve veterans, nonprofit organizations, private businesses, and other interested parties for the expanded telehealth capability that provides for telehealth services to veterans through the award of grants under subsection (b).

(B) Award of Grants.—

(1) In General.—In carrying out agreements entered into or expanded under this section with entities described in subsection (a), the Secretary shall award grants to those entities.

(2) Locations.—To the extent practicable, the Secretary shall ensure that grants are awarded to entities that serve veterans in rural and highly rural areas as determined through the use of the Rural-Urban Commuting Areas coding system of the Department of Agriculture or areas determined to be medically underserved.

(C) Use of Grants.—

(A) In General.—Grants awarded to an entity under this subsection may be used for one or more of the following:

(I) Purchasing, replacing or upgrading hardware or software necessary for the provision of secure and private telehealth services.

(II) Upgrading security protocols for consistency with the security requirements of the Department of Veterans Affairs.

(III) Training of site attendants, including payment of those attendants for completing that training, with respect to—

(i) military and veteran cultural competence, if the entity is not an organization that represents veterans;

(ii) equipment required to provide telehealth services;

(IV) privacy, including the Health Insurance Portability and Accountability Act of 1996 privacy rule under parts 160 and subparts A and E of part 164 of title 45, Code of Federal Regulations, or successor regulations, as it relates to health care for veterans.

(V) scheduling for telehealth services for veterans; or

(VI) any other unique training needs for the provision of telehealth services to veterans.

(B) Use of Funds.—

(I) In General.—Grants under this section may be used for the purchase of new property or for major construction projects, as determined by the Secretary.

(II) Aesthetic Enhancements to Establish a More Suitable Therapeutic Environment.

(III) Upgrading existing infrastructure to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(IV) Upgrading internet infrastructure and sustainment of Internet services.

(V) Establishment of Telehealth Access Points.

(B) Exclusion.—Grants may not be used for the purchase of new property or for major construction projects, as determined by the Secretary.

Agreement on Telehealth Access Points.—

(A) In General.—An entity described in subsection (a) that establishes a telehealth access point for veterans does not require grant funding under this section to...
of the Department as the Secretary plans to address the barriers described in subsection (a) of this Act, the Secretary shall complete an assessment of barriers faced by veterans in accessing telehealth services.

(2) Elements—The assessment required by paragraph (1) shall include the following:
   (A) A description of the barriers veterans face in using telehealth while not on property of the Department as the Secretary considers.
   (B) A description of how the Department plans to address the barriers described in subparagraph (A).

(3) Report—Not later than 120 days after the completion of the assessment required by paragraph (1), the Secretary shall submit to the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the assessment, including any recommendations for legislative or administrative action based on the results of the assessment.

SEC. 702. PARTNERSHIPS WITH NON-FEDERAL GOVERNMENT ENTITIES TO PROVIDE HYPERBARIC OXYGEN THERAPY TO VETERANS.

(a) Partnerships to Provide Hyperbaric Oxygen Therapy to Veterans.—

(1) Use of Partnerships.—The Secretary shall enter into agreements with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans to research the effectiveness of hyperbaric oxygen therapy for the treatment of post-traumatic stress disorder and traumatic brain injury.

(2) Types of Partnerships.—The Secretary shall enter into agreements with non-Federal Government entities to provide hyperbaric oxygen therapy to veterans.

(i) Partnerships to conduct research on hyperbaric oxygen therapy.

(ii) Partnerships to review research on hyperbaric oxygen therapy.

(iii) Partnerships to create industry working groups to determine standards for research on hyperbaric oxygen therapy.

(iv) Partnerships to provide training to veterans hyperbaric oxygen therapy providers.

(b) Review of Effectiveness of Hyperbaric Oxygen Therapy.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the results of the study conducted under paragraph (1).

(c) Systematic Review of Use of Hyperbaric Oxygen Therapy to Treat Certain Conditions.

(i) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the National Academy of Sciences, Engineering, and Medicine, shall conduct a systematic review of the use of hyperbaric oxygen therapy to treat post-traumatic stress disorder and traumatic brain injury among veterans and non-veterans.

(ii) Report.—Not later than 90 days after completing the study required by paragraph (1), the Secretary shall submit to the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the results of the study.

SEC. 703. PRESCRIPTION OF TECHNICAL QUALIFICATIONS FOR LICENSED HEARING AID SPECIALISTS.

(a) Technical Qualifications.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe the technical qualifications required under section 7402(b)(14) of title 38, United States Code, for the purposes of the employment of such specialists with the Department of Veterans Affairs.

(b) Authority to Set and Maintain Duties.—The Secretary shall set the authority to set and maintain the duties for licensed hearing aid specialists and to authorize the examination and licensing of such specialists by the Secretary of Veterans Affairs.

(c) Systematic Review of Use of Hyperbaric Oxygen Therapy to Treat Certain Conditions.

(i) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe the technical qualifications required under section 7402(b)(14) of title 38, United States Code, to be appointed as a licensed hearing aid specialist under section 7401(3) of such title.

(d) Elements for Qualifications.—In prescribing the qualifications for licensed hearing aid specialists under paragraph (1), the Secretary shall:

(A) The standards for licensure of hearing aid specialists that are required by a majority of States;

(B) The competencies needed to perform tasks and services commonly performed by hearing aid specialists pursuant to such standards; and

(C) Any competencies needed to perform tasks specific to providing care to individuals under the laws administered by the Secretary.

SEC. 704. USE BY DEPARTMENT OF VETERANS AFFAIRS OF COMMERCIAL INSTITUTIONAL REVIEW BOARDS IN SPONSORED RESEARCH TRIALS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete all necessary policy revisions within the Department consistent with the requirements under section 4(b) of the Veterans Mobility Safety Act of 2016 (Public Law 114–256; 38 U.S.C. 9401 note) to ensure receipt of the impact of infrastructure and equipment limitations on patient care for audiologic care; and

(b) Identification of Review Boards.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall:

(A) Identify accredited commercial institutional review boards that are in connection with sponsored clinical research of the Department; and
AUTHORITY FOR COMMITTEES TO MEET

Mr. LANKFORD. Mr. President, I have 8 requests for committees to meet during today’s session of the Senate. They have the approval of the majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate.

COMMITTEE ON RANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 2 p.m. to conduct the first executive business period. The committee will meet in Executive Session to consider the following nominations: The Honorable Hester Peirce, of Ohio, to be a member of the Securities and Exchange Commission; Mrs. Caroline Crenshaw, of the District of Columbia, to be a member of the Securities and Exchange Commission; and Mr. Kyle Hauptman, of Maine, to be a member of the National Credit Union Administration Board.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 10 a.m. The committee will hold a full committee hearing in support of the European Union on the WTO, and American workers as they work to modernize the WTO. The committee will also hold a full committee hearing to conduct oversight of critical infrastructure protection initiatives. The committee will also hold a full committee hearing titled “Oversight of the Federal Trade Commission.”

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 10 a.m. to conduct a hearing entitled “Hearing to Examine a Discussion Draft Bill, S. 4049, American Nuclear Infrastructure Act of 2020.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 9 a.m. to hold a full committee hearing in support of the European Union in the WTO. The committee will also hold a full committee hearing on the nomination of the Honorable, Hester Peirce, of Ohio, to be a member of the Securities and Exchange Commission.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 10 a.m. to conduct a hearing entitled “Oversight of the Crossfire Hurricane Investigation: Day 2.”

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, August 5, 2020, at 3 p.m. to conduct a business meeting to consider legislation pending before the committee.
Sec. 147. Limitation on divestment of KC-10 and KC-135 aircraft.

Sec. 148. Limitation on retirement of U-2 and RQ-4 aircraft.

Sec. 149. Limitation on divestment of F-15C aircraft in the European theater.

Sec. 150. Airbase defense development and acquisition strategy.

Sec. 151. Required solution for KC-46 aircraft remote visual system limitations.

Sec. 152. Analysis of requirements and Advanced Battle Management System capabilities.

Sec. 153. Studies on measures to assess cost-per-effect for key mission areas.

Sec. 154. Plan for operational test and utility evaluation of systems for Low-Cost Attributable Aircraft Technology program.

Sec. 155. Prohibition on retirement or divestment of A-10 aircraft.

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

Sec. 171. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force, annual plan and certification.

Sec. 172. Authority to use F-35 aircraft withheld from delivery to Government of Turkey.

Sec. 173. Transfer from Commander of United States Strategic Command to Chairman of the Joint Chiefs of Staff of responsibilities and functions relating to electromagnetic spectrum operations.

Sec. 174. Cryptographic modernization schedules.

Sec. 175. Prohibition on purchase of armed overwatch.

Sec. 176. Special operations armed overwatch.

Sec. 177. Autonomic Logistics Information System redesign strategy.

Sec. 178. Contract aviation services in a country or in airspace in which a Special Federal Aviation Regulation applies.

Sec. 179. F-35 aircraft munitions.

Sec. 180. Airborne intelligence, surveillance, and reconnaissance acquisition roadmap for United States Special Operations Command.

Sec. 181. Requirement to accelerate the fielding and development of counter unmanned aerial systems across the joint force.

Sec. 182. Joint All Domain Command and Control requirements.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

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

Sec. 212. Governance of fifth-generation wireless networking in the Department of Defense.

Sec. 213. Application of artificial intelligence to the defense reform pillar of the National Defense Strategy.

Sec. 214. Extension of authorities to enhance innovation at Department of Defense laboratories.

Sec. 215. Updates to Defense Quantum Information Science and Technology Research and Development program.

Sec. 216. Program of part-time and term employment at Department of Defense science and technology reinvention laboratories of faculty and students from institutions of higher education.

Sec. 217. Improvements to Technology and National Security Fellowship of the Department.

Sec. 218. Department of Defense research, development, and deployment of technology to support water sustainability.

Sec. 219. Development and testing of hypersonic capabilities.

Sec. 220. Disclosure requirements for recipients of Department of Defense research and development grants.

Subtitle C—Plans, Reports, and Other Matters

Sec. 231. Assessment on United States national security emerging biotechnology efforts and capabilities and comparison with adversaries.

Sec. 232. Independent comparative analysis of efforts by China and the United States to recruit and retain researchers in national security-related fields.

Sec. 233. Department of Defense demonstration of virtualized radio access network and massive multiple input multiple output radio arrays for fifth generation wireless networking.


Sec. 235. Report on micro nuclear reactor technology.

Sec. 236. Modification to Test Resource Management Center strategic plan reporting cycle and contents.

Sec. 237. Limitation on contract awards for certain unmanned vessels.

Sec. 238. Documentation relating to the Advanced Battle Management System.

Sec. 239. Armed Services Vocational Aptitude Battery special purpose adjunct to address computational thinking.

Sec. 240. Report on use of testing facilities to research and develop hypersonic technology.

Sec. 241. Study and plan on the use of additive manufacturing and three-dimensional bioprinting in support of the warfighter.

Sec. 242. Element in annual reports on cyber science and technology activities on work with academic consortia on high priority cybersecurity research activities in Department of Defense capabilities.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Modifications and technical corrections to ensure restoration of contaminated perfluorocarbon sulfonate and perfluorocarboxylic acid.

Sec. 312. Readiness and Environmental Protection Integration Program technical edits and clarification.

Sec. 313. Survey and market research of technologies for phase out by Department of Defense of use of fluorinated aqueous film-forming foam.

Sec. 314. Modification of authority to carry out military installation resilience projects.

Sec. 315. Native American Indian lands environmental mitigation program.

Sec. 316. Energy resilience and energy security measures on military installations.

Sec. 317. Modification to availability of energy cost savings for Department of Energy.

Sec. 318. Long-duration demonstration initiative and joint program.

Sec. 319. Pilot program on alternative fuel vehicle purchasing.

Sec. 320. Extension of real-time sound monitoring at Navy installations where tactical fighter aircraft operate.

Sec. 321. Study on impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on personnel, activities, and installations of Department of Defense.

Sec. 322. Increase in funding for study by Centers for Disease Control and Prevention relating to perfluoroalkyl and polyfluoroalkyl substance contamination in drinking water.

Subtitle C—Logistics and Sustainment

Sec. 331. Repeal of statutory requirement for notification to Director of Defense Logistics Agency three years prior to implementing changes to any uniform or uniform component.

Sec. 332. Clarification of limitation on length of overseas forward deployment of currently deployed naval vessels.

Subtitle D—Reports

Sec. 351. Report on impact of permafrost thaw on infrastructure, facilities, and operations of the Department of Defense.

Sec. 352. Plans and reports on emergency response training for military installations.

Sec. 353. Report on implementation by Department of Defense of requirements relating to renewable fuel pumps.

Sec. 354. Report on effects of extreme weather on Department of Defense.

Subtitle E—Other Matters

Sec. 371. Prohibition on divestiture of manned intelligence, surveillance, and reconnaissance aircraft operated by United States Special Operations Command.

Sec. 372. Information on overseas construction projects in support of contingency operations using funds for operating and maintenance.


Sec. 374. Inapplicability of congressional notification and dollar limitation requirements on advance billings for certain background investigations.

Sec. 375. Repeal of sunset for minimum annual purchase amount for carriers participating in the Civil Reserve Air Fleet.
Sec. 376. Improvement of the Operational Energy Capability Improvement Fund of the Department of Defense.

Sec. 377. Commission on the naming of items of the Department of Defense that commemorate the Confederate States of America or a person who served voluntarily with the Confederate States of America.

Sec. 378. Modifications to review of proposed actions by Military Aviation and Installation Assurance Clearinghouse.

Sec. 379. Adjustment in availability of appropriations for unusual cost overruns and for changes in scope of work.

Sec. 380. Requirement that Secretary of Defense implement security and emergency response recommendations relating to active shooter or terrorist attacks on installations of Department of Defense.

Sec. 381. Clarification of food ingredient requirements for food or beverages provided by the Department of Defense.

TITLE IV—MILITARY PERSONNEL

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Sec. 401. End strengths for active forces.

Sec. 402. End strength level matters.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Sec. 415. Separate authorization by Congress of minimum end strengths for non-temporary military technicians (dual status) and maximum end strengths for temporary military technicians (dual status).

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.

Sec. 502. Temporary expansion of availability of enhanced constructive service credit in a particular career field upon original appointment as a commissioned officer.

Sec. 503. Requirement for promotion selection board recommendation of higher placement on promotion list of officers of particular merit.

Sec. 504. Special selection review boards for review of promotion of officers subject to adverse information identified after recommendation for promotion and related matters.

Sec. 505. Number of opportunities for consideration for promotion under alternative promotion authority.

Sec. 506. Mandatory retirement for age.

Sec. 507. Clarifying and improving restate-ment of rules on the retired grade of commissioned officers.

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

Subtitle B—Reserve Component Management

Sec. 509. Exclusion of certain reserve general and flag officers on active duty from limitations on authorized reserve strengths.

Subtitle C—General Service Authorities

Sec. 510. Increased access to potential recruits.

Sec. 511. Temporary authority to order reserve members to active duty for high-demand, low-density assignments during war or national emergency.

Sec. 512. Certificate of Release or Discharge from Active Duty (DD Form 214) matters.

Sec. 513. Evaluation of barriers to minority participation in certain units of the Armed Forces.

Sec. 514. Reports on diversity and inclusion in the Armed Forces.

Subtitle D—Military Justice and Related Matters

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

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


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

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

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

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

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


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

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

PART II—OTHER MILITARY JUSTICE MATTERS

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

Sec. 532. Consideration of the evidence by military courts of non-appellate courts.

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

Sec. 534. Comptroller General of the United States report on implementation by the Armed Forces of recent GAO recommendations and statutory requirements on assessment of racial, ethnic, and gender disparities in the military justice system.

Sec. 535. Briefing on mental support for vicarious trauma for certain personnel in the military justice system.

Sec. 536. Guardian ad litem program for minor dependents of members of the Armed Forces.

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

Sec. 541. Training on religious accommodation for members of the Armed Forces.

Sec. 542. Additional elements with 2021 certifications on the Ready, Relevant Learning initiative of the Navy.

Sec. 543. Report on standardization and potential merger of law enforcement training for military and civilian personnel across the Department of Defense.

Sec. 544. Quarterly reports on implementation of recommendations of the Comprehensive Review of Special Operations Forces Culture and Ethics.

Sec. 545. Information on nominations and applications for military service academies.

Sec. 546. Pilot programs in connection with Senior Reserve Officers’ Training Corps units at Historically Black Colleges and Universities and minority institutions.

Sec. 547. Expansion of Junior Reserve Officers’ Training Corps Program.

Sec. 548. Department of Defense STARBASE Program.

Subtitle F—Decorations and Awards

Sec. 551. Award or presentation of decorations favorably recommended following determination on merits of proposals for decorations not previously submitted in a timely fashion.

Sec. 552. Honorary promotion matters.

Sec. 553. Consideration of the evidence by the Defense Advisory Committee for the Prevention of Sexual Misconduct.

Sec. 554. Quarterly reports on implementation of recommendations of the Comprehensive Review of Special Operations Forces Culture and Ethics.

Sec. 555. Information on nominations and applications for military service academies.

Sec. 556. Pilot programs in connection with Senior Reserve Officers’ Training Corps units at Historically Black Colleges and Universities and minority institutions.

Sec. 557. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 558. Impact aid for children with severe disabilities.

Sec. 559. Staffing of Department of Defense Education Activity schools to maintain maximum student-to-teacher ratios.

Sec. 560. Matters in connection with free appropriate public education for dependents of members of the Armed Forces with special needs.

Sec. 561. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 562. Impact aid for children with severe disabilities.

Sec. 563. Staffing of Department of Defense Education Activity schools to maintain maximum student-to-teacher ratios.

Sec. 564. Matters in connection with free appropriate public education for dependents of members of the Armed Forces with special needs.

Sec. 565. Pilot program on expanded eligibility for Department of Defense Education Activity Virtual High School program.

Sec. 566. Pilot program on expansion of eligibility for Department of Defense Education Activity Virtual High School program.

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Sec. 572. Improvements to Exceptional Family Member Program.

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Sec. 576. Military child care and child development center matters.

Sec. 577. Expansion of financial assistance under My Career Advancement Account program.

Sec. 586. Removal of personally identifying and other information of certain persons from investigative reports, the Department of Defense Central Index of Investigations, and other records and databases.

Sec. 587. National emergency exception for timing requirements with respect to certain surveys of the Armed Forces.

Sec. 588. Sunset and transfer of functions of the Physical Disability Board of Review.

Sec. 589. Extension of reporting deadline for the annual report on the assessment of the effectiveness of activities of the federal voting assistance program.

Sec. 590. Pilot programs on remote provision by National Guard to State governors and National Guards of other States of cybersecurity technical assistance in training, preparation, and response to cyber incidents.

Sec. 591. Plan on performance of funeral.

Sec. 592. Limitation on implementation of Army Combat Fitness Test.

Sec. 593. Report on impact of children of certain Filipino World War II veterans on national security, foreign policy, and economic and humanitarian interests of the United States.

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Sec. 612. Increase in special and incentive pays for officers in health professions.

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Sec. 702. Removal of Christian Science providers as authorized providers under the TRICARE program.

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Sec. 704. Mental health resources for members of the Armed Forces and their dependents during the COVID-19 pandemic.

Sec. 705. Transitional health benefits for certain members of the National Guard serving under orders in response to the coronavirus.

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Sec. 745. Study on force mix options and service models to enhance readiness of medical forces of the Armed Forces to provide combat casualty care.

Sec. 746. Comptroller General study on delivery of mental health services to members of the reserve components of the Armed Forces.

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Sec. 749. Comptroller General study on prenatal and postpartum mental health conditions among members of the Armed Forces and their dependents.

Sec. 750. Plan for evaluation of flexible spending account options for members of the uniformed services and their families.

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Sec. 752. Report on billing practices for health care from Department of Defense.

Sec. 753. Access of veterans to Individual Longitudinal Exposure Record.

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Sec. 765. Report on mental health and related services provided by Department of Veterans Affairs to members of the Armed Forces.

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Sec. 802. Assessment of national security innovation base.

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Sec. 892. Domestic comparative testing activities.

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Sec. 904. Inclusion of Vice Chief of the National Guard Bureau as an advisor to the Joint Requirements Oversight Council.

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Sec. 9309. Limitation on delegation of responsibility for program management of information-sharing environment.

Sec. 9310. Improvements to provisions relating to intelligence community information technology environment.

Sec. 9311. Requirements and authorities for Director of the Central Intelligence Agency to improve education in science, technology, engineering, arts, and mathematics.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

Sec. 9321. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

Sec. 9322. Report on intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.

Sec. 9323. Report on signals intelligence priorities and requirements.

Sec. 9324. Authorization of demand for student loan repayment program benefit.
aerial systems centers of excellence to help focus Army and joint force efforts to achieving a functional integrated air and missile defense capability and capacity to meet requirements of the combatant commands.

(3) CHARACTERIZATION.—

(A) IN GENERAL.—In carrying out para-

graph (2)(A), the Secretary shall avoid broad characterizations that do not sufficiently distinguish between distinctly different threats in the same general class.

(B) EXAMPLE.—An example of a broad charac-
terization of threats shall not include under such para-

graph is “cruise missiles”, since such character-

ization does not sufficiently distinguish between current cruise missiles and emerg-
ing hypersonic cruise missiles that may require different capabilities to counter them.

(4) REPORT AND INTERIM BRIEFING.—

(A) INTERIM BRIEFING.—Not later than De-

cember 15, 2020, the Secretary shall provide the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a briefing on the assessment being conducted by the Secretary under paragraph (1).

(B) REPORT.—Not later than February 15,

2021, the Secretary shall submit to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report on the findings of the Secretary to the assessment conducted under paragraph (1).

(5) REVIEW BY VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—

(A) REVIEW.—The Vice Chairman of the Joint Chiefs of Staff shall review the assessment being conducted under subsection (a)(1) for potential gaps in capability and capacity to meet requirements of the National De-

fense Strategy.

(B) REPORT.—Not later than April 15, 2021, the Vice-Chairman of the Joint Chiefs of Staff shall submit to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report on the findings of the Vice Chairman with respect to the re-

view conducted under paragraph (1).

SEC. 112. REPORT AND LIMITATION ON IN-

TEGRATED VISUAL AUGMENTATION SYSTEM ACQUISITION.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than August 15,

2021, the Secretary shall submit to the congression-

al defense committees a report on the Integrated Visual Augmentation Systems (IVAS) subsequent to the completion of operational testing.

(2) ELEMENTS REQUIRED.—The report re-

quired by paragraph (1) shall include the follow-

ing:

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

(B) Certification of technology levels being utilized in the full rate production model;

(C) Operational suitability and soldier acceptability of the production model IVAS;

(D) LIMITATION ON USE OF FUNDS.—Not more than 10 percent of the amounts author-

ized to be appropriated by this Act for fiscal year 2021 for procurement of the Integrated Visual Augmentation System may be obligated until the Secretary sub-

mits to the congressional defense committees the report required under subsection (a).

(b) MODIFICATIONS TO REQUIREMENT FOR INTEGRATED CRUISE MISSILE DE-

FENSE CAPABILITY.

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

(2) MODIFICATION OF WAIVER.—Section 112(b)(4) of the John S. McCain National De-

fense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1661) is amend-

ed to read as follows:

(d) LIMITATION.—The Secretary of the Army may waive the deadlines specified in para-

graph (1):

(1) For the deadline specified in para-

graph (1)(A), if the Secretary determines that sufficient funds have not been appro-

priated to enable the Secretary to meet such deadline.

(B) For the deadline specified in para-

graph (1)(B), if the Secretary submits to the congressional defense committees a certifi-

cation that—

(1) creating resources toward procure-

ment of an integrated enduring capability would provide robust tiered and layered pro-

tection to the joint force; and

(ii) allocating resources toward procure-

ment of up to two Columbia-class submarines.

(b) INCREMENTAL FUNDING.—With respect to a contract entered into under subsection (a), the Secretary may use incre-

mental funding to make payments under the contract.

(c) LIABILITY.—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is sub-

ject to the availability of appropriations for that purpose; and

(2) total liability of the Federal Govern-

ment for termination of any contract entered into shall be limited to the total amount of funds obligated to the contract at time of termination.

SEC. 112. LIMITATION ON NAVY MEDIUM AND LARGE UNMANNED SURFACE VES-

SELS.

(a) MILESTONE B APPROVAL REQUIRE-

MENTS.—Milestone B approval may not be granted for a covered program unless such program fulfills all milestones prior to and incor-

porates into such approval—

(1) qualification by the Senior Technical Authority of—

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

(B) at least six different electrical generators and ancillary equipment;

(2) final results of test programs of engi-

neering development models or prototypes for critical systems specified by the Senior Technical Authority in their final form, fit, and function and in a realistic environment; and

(3) a determination by the milestone deci-

sion authority of the minimum number of vessels, discrete test events, performance pa-

rameters to be tested, and schedule required to complete operational evaluation and eval-

uation and demonstrate operational suit-

ability and operational effectiveness.

(b) QUALIFICATION REQUIREMENTS.—The qualification requirements of subsection (a)(1) shall include a land-based operational demon-

stration of such equipment in the vessel-
SEC. 125. FIGHTER FORCE STRUCTURE ACQUISITION STRATEGY.

(a) REPORT REQUIRED.—Not later than March 1, 2021, the Secretary of the Navy shall submit to the congressional defense committees a report on the National Defense strategy of the Navy. The report submitted shall include the following elements:

(1) A description of the current long-range acquisition strategy of the Navy, including the rationale for the types of aircraft the Navy intends to procure, and the technical and operational requirements that must be satisfied to achieve the objectives of the Navy's long-range acquisition strategy.

(2) An assessment of the Navy's ability to achieve the objectives of its long-range acquisition strategy, including an analysis of the risks associated with the acquisition programs identified in paragraph (1).

(3) A summary of the Navy's plans forprocuring new aircraft, including an estimate of the cost and schedule for each program.

(4) The Navy's plans for organizing and training its forces to operate the new aircraft, including the training requirements and the availability of training resources.

(5) The Navy's plans for maintaining the new aircraft, including the logistics support and sustainment requirements.

(6) The Navy's plans for integrating the new aircraft into the Navy's overall force structure, including the role of the new aircraft in the Navy's missions.

(b) FUTURE-YEARS DEFENSE PROGRAM.—The Secretary of the Navy shall submit to the congressional defense committees, no later than October 1, 2020, a report on the future-years defense program, including an assessment of the program's ability to meet the Navy's long-range acquisition strategy.
SEC. 148. LIMITATION ON RETIREMENT OF U–2 aircraft.

ARTICLE.—The Secretary of the Air Force may reduce the number of aircraft in the PMAI or F-35A aircraft below the minima specified in subsection (a) only if—

(1) the Secretary certifies to the congressional defense committees that such reduction is necessary as a result of the combatant command or requirements of the congressional defense committees under paragraph (1); and

(2) a period of 90 days has elapsed following the date on which the certification is made to the congressional defense committees.

SEC. 149. LIMITATION ON DIVESTMENT OF F–15C AIRCRAFT IN THE EUROPEAN THE-AT.

ARTICLE.—The Secretary of the Air Force may not divest F–15C aircraft in the European theater until the F–15EX aircraft is integrated into the Air Force and has begun bed down actions in the European theater.

SEC. 150. AIR BASE DEFENSE DEVELOPMENT AND ACQUISITION STRATEGY.

ARTICLE.—Not later than April 1, 2021, the Secretary of the Air Force shall submit to the appropriate committees of Congress a report on the development and acquisition strategy to procure a capability to protect air bases and facilitate specified operations.

SEC. 151. REQUIRED SOLUTION FOR KC–46 AIRCRAFT REMOTE VISUAL SYSTEM LIMITATIONS.

ARTICLE.—The Secretary of the Air Force shall develop and implement a complete, one-time solution to the KC–46 aircraft remote visual system limitations. Not later than October 1, 2020, the Secretary shall submit to the congressional defense committees an implementation strategy for the solution.

SEC. 152. ANALYSIS OF REQUIREMENTS AND ADVANCED BATTLE MANAGEMENT SYST-EM CAPABILITIES.

ARTICLE.—Not later than April 1, 2021, the Secretary of the Air Force, in consulta- tion with the Air Combat Command and the combatant commands, shall develop an analysis of current and future moving target indicator require- ments across the combatant commands and operational and tactical level command and control capabilities. The Joint Requirements Oversight Council (JROC) will review the requirements.

SEC. 153. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 154. PROHIBITION ON FUNDING FOR CLOSE AIR SUPPORT INTEGRATION GROUP.

ARTICLE.—The Secretary of the Air Force shall not fund the Close Air Support Integration Group (CIG) or similar units at Nellis Air Force Base, Nevada, and the Air Force may not utilize personnel or equipment in support of the CIG or its subordinate units.

SEC. 155. COMPLIANCE WITH REQUIREMENTS FOR ABMS INTEGRATION AND SUPPORT.

ARTICLE.—Not later than 60 days after the submission of the report by the Secretary of the Air Force to the Senate Armed Services Committee and the House Armed Services Committee, the Air Force shall certify that requirements for ABMS in- tegration and supporting analysis.

SEC. 156. IMPLEMENTATION OF MEASURES TO ASSESS REQUIREMENTS FOR ABMS INTEGRATION AND SUPPORT.

ARTICLE.—Not later than 60 days after the submission of the report by the Secretary of the Air Force to the Senate Armed Services Committee and the House Armed Services Committee, the Air Force shall certify that requirements for ABMS integration and supporting analysis.

SEC. 157. ANALYSIS OF REQUIREMENTS FOR ABMS INTEGRATION AND SUPPORT.

ARTICLE.—Not later than 60 days after the submission of the report by the Secretary of the Air Force to the Senate Armed Services Committee and the House Armed Services Committee, the Air Force shall certify that requirements for ABMS integration and supporting analysis.

SEC. 158. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 159. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 160. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 161. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 162. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 163. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

SEC. 164. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

ARTICLE.—Not later than January 1, 2021, the Secretary of the Air Force shall develop a strategy for the performance of two independent studies to develop new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization designated in section 301(c)(3) of the National Defense Authorization Act for Fiscal Year 2017 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.
SEC. 154. PLAN FOR OPERATIONAL TEST AND UTILITY EVALUATION OF SYSTEMS FOR LOW-COST ATTRIBUTABLE AIRCRAFT TECHNOLOGY PROGRAM.

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

(a) submit to the congressional defense committees an executable plan for the operational test and utility evaluation of the systems of the Low-Cost Attributable Aircraft Technology (LCAAT) program of the Air Force; and

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

SEC. 155. PROHIBITION ON RETIREMENT OR DISPOSAL OF SYSTEMS FOR A-10 AIRCRAFT.

The Secretary of Defense may not during fiscal year 2021 divest or retire any A-10 aircraft, in order to ensure ongoing capabilities to counter violent extremism and provide close air support and combat search and rescue in accordance with the National Defense Strategy.

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

SEC. 171. BUDGETING FOR LIFE-CYCLE COST OF AIRCRAFT FOR THE NAVY, ARMY, AND AIR FORCE: ANNUAL PLAN AND CERTIFICATION.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, as amended by the amendment made by section 231 of this Act, is further amended by inserting after section 231 the following new section:

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

"(a) ANNUAL AIRCRAFT PROCUREMENT PLAN AND CERTIFICATION.—Not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees—

"(1) a plan for the procurement of the aircraft specified in subsection (b) for the Department of the Army, the Department of the Air Force, and the Department of the Air Force developed in accordance with this section; and

"(2) a certification by the Secretary that both the budget for such fiscal year and the future years defense program submitted to Congress in relation to such budget under section 206 shall be in accordance with the annual plan and certification required by this section.

"(b) COVERED AIRCRAFT.—The aircraft specified in this subsection are the aircraft as follows:

"(1) Fighter aircraft.

"(2) Attack aircraft.

"(3) Bomber aircraft.

"(4) Intertheater lift aircraft.

"(5) Strategic lift aircraft.

"(6) Intelligence, surveillance, and reconnaissance aircraft.

"(7) Tanker aircraft.

"(8) Rotary-wing aircraft.

"(9) Operational support and executive lift aircraft.

"(10) Any other major support aircraft designated by the Secretary of Defense for purposes of this section.

"(c) ANNUAL AIRCRAFT PROCUREMENT PLAN.—(1) The annual aircraft procurement plan developed for a fiscal year for purposes of subsection (a)(1) should be designed so that the aviation force provided for under the plan is capable of supporting the national military strategy of the United States as set forth in the most recent National Defense Strategy submitted under section 153 of this title, United States Code, and National Military Strategy submitted under section 153(b) of title 10, United States Code.

"(2) Each annual aircraft procurement plan shall include the following:

"(A) A detailed program for the procurement of the aircraft specified in subsection (b) for each of the Department of the Navy, the Department of the Army, and the Department of the Air Force over the next 30 fiscal years.

"(B) A description of the necessary aviation force structure to meet the requirements of the national military strategy of the United States or the most recent Quadrennial Defense Review that is not sufficient to sustain the aviation force specified in subsection (c)(1) of this title, the source of the cost information used to prepare the annual aircraft plan, shall be coordinated in advance with the commanders of the combatant commands.

"(C) The estimated levels of annual investment funding necessary to carry out each aircraft program for the fiscal year, the annual report on the aircraft inventory that are inactive, stated in the following categories:

"(i) Primary aircraft.

"(ii) Backup aircraft.

"(iii) Aircraft for sale or other transfer to foreign governments.

"(iv) Leased or loaned aircraft.

"(v) Aircraft for maintenance training.

"(vi) Aircraft for reclamation.

"(vii) Aircraft in storage.

"(D) The annual aircraft procurement plan shall include the following:

"(i) A description of whether the cost estimates required by subparagraphs (C) and (D)—

"(I) a description of whether the cost estimate is derived from the cost estimate position of the military department or derived from the cost estimate position of the Office of Cost Analysis and Program Evaluation;

"(ii) if the cost estimate position of the military department and the cost estimate position of the Office of Cost Analysis and Program Evaluation differ by more than 5 percent for any aircraft program, an annotated cost estimate and sufficient rationale to explain the difference;

"(iii) the confidence or certainty level associated with the cost estimate for each aircraft program; and

"(iv) a certification that cost between different services and aircraft are based on similar components in the life-cycle cost of each program.

"(E) An assessment by the Secretary of Defense of the extent to which the combined annual defense program for the fiscal year that is submitted to Congress by the Secretary of Defense for the Future Years Defense Program and in support each aircraft program throughout the life-cycle of the program, set forth in aggregate for the Department of Defense and in aggregate for each military department.

"(F) An assessment by the Secretary of Defense, of the extent to which the combined annual defense program for the fiscal year that is submitted to Congress by the Secretary of Defense for the Future Years Defense Program and in support each aircraft program throughout the life-cycle of the program, set forth in aggregate for the Department of Defense and in aggregate for each military department.

"(G) For each of the cost estimates required by subparagraphs (C) and (D), the Secretary—

"(i) a description of whether the cost estimate is derived from the cost estimate position of the military department or derived from the cost estimate position of the Office of Cost Analysis and Program Evaluation;

"(ii) if the cost estimate position of the military department and the cost estimate position of the Office of Cost Analysis and Program Evaluation differ by more than 5 percent for any aircraft program, an annotated cost estimate and sufficient rationale to explain the difference;

"(ii) the confidence or certainty level associated with the cost estimate for each aircraft program; and

"(iv) a certification that costs between different services and aircraft are based on similar components in the life-cycle cost of each program.

"(H) The annual aircraft procurement plan shall include the following:

"(i) A detailed program for the procurement of the aircraft specified in subsection (b) for each of the Department of the Navy, the Department of the Army, and the Department of the Air Force over the next 30 fiscal years.

"(II) Each report submitted under this subsection shall set forth each item described in paragraph (I) separately for the regular component of each armed force and for each reserve component of each armed force and, for each such component, shall set forth each type, model, and series of aircraft provided for in the future-years defense program that covers the fiscal year for which the budget accompanying the plan, certification, and report is submitted.

"(I) DEFINITION OF BUDGET.—In this section, the term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by inserting after the item relating to section 231 the following new item:


SEC. 172. AUTHORITY TO USE F-35 AIRCRAFT WITHHELD FROM DELIVERY TO GOVERNMENT OF TURKEY.

The Secretary of the Air Force is authorized to utilize, modify, and operate the 6 F-35 aircraft that were delivered to the Government of Turkey but never delivered because Turkey was suspended from the F-35 program.
advocacy for joint electromagnetic spectrum operations.

(b) The Chairman of the Joint Chiefs of Staff considers appropriate, except until such date as the Chairman of the Joint Chiefs of Staff by subsections (a) and (b) are performed within a single combatant command or by the individual geographic and functional combatant commands responsible for executing electromagnetic spectrum operations with long-term supervision by the Chairman or Vice Chairman of the Joint Chiefs of Staff.

(d) EVALUATIONS OF ARMED FORCES.—

(1) IN GENERAL.—The Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of Space Operations shall conduct and complete an evaluation of the armed forces for their respective military services and their ability to perform electromagnetic spectrum operations missions required of them in—

(A) the Electromagnetic Spectrum Superiority Strategy;

(B) the Joint Staff-developed concept of operations;

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

(2) ELEMENTS.—Each evaluation under paragraph (1) shall include assessment of the following:

(A) Current programs of record, including—

(i) the ability of weapon systems to perform missions in or under electromagnetic spectrum environments; and

(ii) the ability of electronic warfare capabilities to disrupt adversary operations.

(B) Future programs of record, including—

(i) the need for distributed or network-centric electronic warfare and signals intelligence capabilities; and

(ii) the need for automated and machine learning- or artificial intelligence-assisted electronic warfare capabilities.

(C) Order of battle.

(D) Individual, and unit training.

(E) Tactics, techniques, and procedures, including—

(i) maneuver, distribution of assets, and the use of deception;

(ii) integration of nonkinetic and kinetic fires.

(e) EVALUATION OF COMBATANT COMMANDS.—

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

(A) the Electromagnetic Spectrum Superiority Strategy; and

(B) the Joint Staff-developed concept of operations.

(2) ELEMENTS.—Each evaluation under paragraph (1) shall include assessment of the following:

(A) Operation and contingency plans.

(B) The manning, organizational alignment and capability of joint electromagnetic spectrum operations cells.

(C) Mission rehearsal and exercises.

(D) Force positioning, posture, and readiness.

(f) SEMIANNUAL BRIEFING.—Not less frequently than twice each year until January 1, 2026, the Vice Chairman of the Joint Chiefs of Staff shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the implementation by each of the Joint Staff, the military services, and the combatant commands.

SEC. 174. CRYPTOGRAPHIC MODERNIZATION SCHEDULES.

(a) CRYPTOGRAPHIC MODERNIZATION SCHEDULES REQUIRED.—Each of the Secretaries of the military departments and the heads of military defense agencies shall establish and maintain a cryptographic modernization schedule that specifies, for each pertinent weapon system, command and control system, weapon system, weapon system component, and weapon system area that use commercial encryption technologies, as relevant, the following:

(1) The expiration date or cease key date for applicable cryptographic algorithms.

(2) Anticipated key extension requests for systems where cryptographic modernization is assessed to be overly burdensome and expensive or to provide limited operational utility.

(b) The funding and deployment schedule for modernized cryptographic algorithms, keys, and equipment over the Future Years Defense Program.

(b) REQUIREMENTS FOR CHIEF INFORMATION OFFICER.—The Chief Information Officer of the Department of Defense shall—

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

(2) establish and maintain an integrated cryptographic modernization schedule for the entire Department, collating the cryptographic modernization schedules required under subsection (a); and

(3) in coordination with the Director of the National Security Agency and the Joint Staff Director for Command, Control, Communications, and Computers/Cyber, use the budget certification, standard-setting, and policy-making authorities provided in section 142 of title 10, United States Code, to amend military service and defense agency and field activity plans for key extension requests and cryptographic modernization funding and deployment that pose unacceptable risk to military operations.

(c) ANNUAL NOTICES.—Not later than January 1, 2022, and not less frequently than once each year thereafter until January 1, 2026, and each year thereafter until January 1, 2026, the Secretary of the Air Force may not purchase any aircraft for the Air Force Special Operations Command for the purpose of armed overwatch until such time as the Chief of Staff of the Air Force certifies to the congressional defense committees that general purpose forces of the Air Force do not have the skill or capacity to provide close air support and armed overwatch to United States forces deployed operationally.
SEC. 176. SPECIAL OPERATIONS ARMED OVERWATCH.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for the Department of Defense may be used to acquire armed overwatch aircraft for the United States Special Operations Command, and the Department of Defense may not acquire armed overwatch aircraft for the United States Special Operations Command in fiscal year 2021.

(b) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than July 1, 2021, the Secretary of Defense, in coordination with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and the Commander of the United States Special Operations Command, shall conduct an analysis to define the special operations-peculiar requirements for armed overwatch aircraft and to determine whether acquisition of a new special operations-peculiar platform is the most cost effective means of fulfilling such requirements.

(2) ELEMENTS.—At a minimum, the analysis of alternatives required under paragraph (1) shall include—

(A) a description of the concept of operations for employing armed overwatch aircraft and force generation;

(B) an identification of geographic regions in which armed overwatch aircraft could be deployed;

(C) an identification of the most likely antisubmarine threats in geographic areas where armed overwatch aircraft will be deployed and possible countermeasures to defeat such threats;

(D) a defined requirement for special operations-peculiar armed overwatch aircraft, including an identification of threshold and objective performance parameters for armed overwatch aircraft;

(E) an analysis of alternatives comparing manned and unmanned aircraft in the current aircraft inventory of the United States Special Operations Command and a new platform for meeting requirements for the armed overwatch mission, including for each alternative considered;

(F) an identification of any necessary aircraft modifications and the associated cost;

(G) the annual cost of operating and sustaining such armed overwatch aircraft;

(H) an identification of any required military construction costs;

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

(J) an explanation of why existing Air Force and United States Special Operations Command close air support and airborne intelligence capabilities are insufficient for the armed overwatch mission; and

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

SEC. 177. AUTONOMIC LOGISTICS INFORMATION SYSTEM REDEIGN STRATEGY.

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

(1) submit to the congressional defense committees a report describing a program-wide process for measuring, collecting, and tracking information on how the Autonomic Logistics Information System (ALIS) is affecting the performance of F-35 aircraft, including its effects on mission capability rates; and

(2) implement a strategy for the redesign of ALIS that identifies the assessment of goals, key risks or uncertainties, and costs of redesigning the system.

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

(a) IN GENERAL.—When the Department of Defense contracts for aviation services to be performed in a foreign country, or in airspace, in which a Special Aviation Regulation issued by the Federal Aviation Administration would preclude operation of such aviation services by an air carrier or commercial operator of the United States, the Secretary of Defense (or a designee of the Secretary) shall—

(1) obtain approval from the Administrator of the Federal Aviation Administration (or a designee of the Administrator) for the air carrier or commercial operator of the United States to operate in support of United States Special Operations Forces, in coordination with the Assistant Secretary of Defense and the Commander of United States Special Operations Forces.

(b) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than July 1, 2021, the Secretary of Defense, in coordination with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and the Commander of United States Special Operations Command, shall conduct an analysis of the special operations-peculiar requirements of armed overwatch aircraft and the necessity to acquire such armed overwatch aircraft.

(2) ELEMENTS.—At a minimum, the analysis required under paragraph (1) shall include—

(A) a description of the concept of operations for employing armed overwatch aircraft and force generation;

(B) an identification of geographic regions in which armed overwatch aircraft could be deployed;

(C) an identification of the most likely threats in geographic areas where armed overwatch aircraft will be deployed and possible countermeasures to defeat such threats;

(D) a defined requirement for special operations-peculiar armed overwatch aircraft, including an identification of threshold and objective performance parameters for armed overwatch aircraft;

(E) an analysis of alternatives comparing manned and unmanned aircraft in the current aircraft inventory of the United States Special Operations Command and a new platform for meeting requirements for the armed overwatch mission, including for each alternative considered;

(F) an identification of any necessary aircraft modifications and the associated cost;

(G) the annual cost of operating and sustaining such armed overwatch aircraft;

(H) an identification of any required military construction costs;

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

(J) an explanation of why existing Air Force and United States Special Operations Command close air support and airborne intelligence capabilities are insufficient for the armed overwatch mission; and

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

SEC. 179. F-35 AIRCRAFT MUNITIONS.

The Secretary of the Air Force and the Secretary of the Navy shall—

(1) identify, for the use of United States forces, additional munitions on the F-35 aircraft that are already qualified on NATO member F-35 partner aircraft;

(2) meet the operational demands of deployed forces facing the most significant threats, especially unmanned aerial systems that are not remotely piloted or are not reliant on a command link; and

(3) utilize autonomous systems and processes that increase operational effectiveness, reduce the manning demands of operational forces, and limit the need for government-funded contractor logistics support.

SEC. 180. AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE ACQUISITION ROADMAP FOR UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) IN GENERAL.—Not later than December 1, 2021, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and the Commander of United States Special Operations Command shall jointly submit to the congressional defense committees a report on the development of a Special Operations Forces (SOF) acquisition roadmap to meet the manned and unmanned airborne intelligence, surveillance, and reconnaissance requirements of United States Special Operations Forces.

(b) ELEMENTS.—The report required under subsection (a) shall include, at a minimum, the following:

(1) a description of the current platform requirements for manned and unmanned airborne intelligence, surveillance, and reconnaissance capabilities to support United States Special Operations Forces;

(2) an analysis of the remaining service life of existing manned and unmanned airborne intelligence, surveillance, and reconnaissance systems—

(A) as determined by the Secretary of Defense; and

(B) as determined by United States Special Operations Forces;

(3) an identification of any current or anticipated special operations-peculiar capability gaps;

(4) a description of the future manned and unmanned intelligence, surveillance, and reconnaissance platform requirements of the United States Special Operations Forces, including range, payload, endurance, ability to operate in contested environments, and other requirements as determined by the Assistant Secretary and Commander.

(SEC. 181. REQUIREMENT TO ACCELERATE THE FIELDING AND DEVELOPMENT OF COUNTER UNMANNED AIR SYSTEMS ACROSS THE JOINT FORCE.

(a) PRIORITY OBJECTIVES FOR EXECUTIVE AGENT FOR C-UAS.—The Executive Agent of the Secretary of Defense shall prioritize the fielding of unmanned aerial systems to meet joint force needs in countering Group 1, 2, and 3 unmanned aerial systems with the potential to expand to other larger systems.

(b) NEAR-TERM DEVELOPMENT PLAN.—The Secretary of the Air Force, in coordination with the Assistant Secretary and Commander, shall—

(1) convene and execute a near-term plan to develop and field a select set of counter unmanned aerial systems to meet joint force requirements, beginning in fiscal year 2021.

(SEC. 182. C-VAAMS ACQUSITION REGULATION APPLIES.

The Executive Agent shall brief the congressional defense committees on the selection of unmanned aerial systems with the potential to expand to other larger systems.

(c) F-35 C-VAAMS ACQUISITION REGULATION APPLIES.

The plan for the near-term development of counter unmanned aerial systems prioritized under subsection (a)(2) shall ensure, at a minimum, that the development of such systems—

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

(2) reduces or accelerates the timeline for initial operational capability and full operational capability; and

(3) utilizes a software-defined, family-of-systems approach that enables the flexible and continuous integration of different types of sensors and mitigation solutions based on the different demands of particular military installations and deployed forces, physical geographies, and threat profiles; and

(4) gives preference to commercial items, as required in section 3307 of title 41, United States Code, when making selections of unmanned aerial systems or components, parts, including common command and control system.

(d) FULFILLMENT OF TASK FOR C-UAS.—Not later than 60 days after the submission of the report required by subsection (a)(1), the Executive Agent shall brief the congressional defense committees on the selection
process for counter unmanned aerial systems capabilities prioritized under paragraph (1) of subsection (a) and the plan prioritized under paragraph (2) of such subsection.

(c) OVERSIGHT.—The Executive Agent shall—

(1) oversee the program management and execution of all counter unmanned aerial systems being developed within the military departments on the day before the date of the enactment of this Act; and

(2) ensure that the plan prioritized under subsection (a) guides future programmatic and funding decisions for activities relating to counter unmanned aerial systems, including cancellation of such activities.

SEC. 182. JOINT DOMAINS COMMAND AND CONTROL REQUIREMENTS.

(a) PRODUCTION OF REQUIREMENTS BY JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Not later than October 1, 2020, the Joint Requirements Oversight Council (JROC) shall produce requirements for the Joint All Domain Command and Control (JADC2) program.

(b) AIR FORCE CERTIFICATION.—Immediately after the certification of requirements under subsection (a), the Chief of Staff of the Air Force shall submit to the congressional defense committees a certification that the current JADC2 effort, including plans for architecture extensions, being led by the Air Force will meet the requirements laid out by the JROC.

(c) CERTIFICATION BY OTHER SERVICES.—Not later than January 1, 2021, the Air Force shall submit to the congressional defense committees a certification that the current JADC2 effort, including plans for architecture extensions, being led by the Air Force will meet the requirements laid out by the JROC.

(d) BUDGETING.—The Secretary of Defense shall incorporate the expected costs for full development and implementation of the JADC2 program across the Department in the President’s budget submission to Congress for fiscal year 2022 under section 105(b) of title 31, United States Code.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. DESIGNATION AND ACTIVITIES OF SENIOR OFFICIALS.—

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

(b) DUTIES.—The duties of the senior officials designated under subsection (a) shall include, within their respective technology areas—

(1) developing and continuously updating research and development, test and evaluation, development of the military maps, associated funding strategies, and associated technology transition strategies to ensure effective and efficient development of new or improved weapon systems; and the roadmap developed under paragraph (1) and the goals of the National Defense Strategy;

(2) reviewing the relevant research and engineering budgets of appropriate organizations within the Department of Defense, including the military services, and advising the Under Secretary on—

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

(B) any technical and programmatic risks to achieving the technology development goals of the National Defense Strategy; and

(C) projects and activities with unwanted or unintended outcomes, including with other government agencies and the commercial sector, lack of appropriate coordination with relevant organizations, or inappropriate alignment with organizational missions and capabilities;

(3) coordinating research and engineering activities of the Department with appropriate international, interagency, and private sector organizations; and

(4) tasking the appropriate intelligence agencies to develop a direct comparison between the capabilities of the United States and the capabilities of adversaries of the United States;

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than December 1, 2021, and not later than December 1 of each year thereafter until December 1, 2025, the Under Secretary for Research and Engineering shall submit to the congressional defense committees a report of successful examples of research and engineering activities that have—

(A) achieved significant technical progress;

(B) transitioned to formal acquisition programs;

(C) transitioned into operational use; or

(D) transferred for further commercial development or commercial sales.

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in a publicly releasable format, but may include a classified annex.

(d) COORDINATION OF RESEARCH AND ENGINEERING ACTIVITIES.—The Service Acquisition Executive for each military service and the Director of the Defense Advanced Research Projects Agency shall each identify senior officials to ensure coordination of appropriate research and engineering activities with each of the senior officials designated under subsection (a).

SEC. 212. GOVERNANCE OF FIFTH-GENERATION WIRELESS NETWORKING IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—In carrying out the responsibilities assigned under section 142 of title 10, United States Code, the Chief Information Officer (CIO) of the Department of Defense shall—

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

(2) serve as the senior designated official for fifth-generation wireless networking (commonly known as ''5G'') policy, oversight, guidance, research, and coordination in the Department.

(b) RESPONSIBILITIES.—The Chief Information Officer shall have, with respect to authorities referenced in subsection (a), the following responsibilities:

(1) Plan, coordinate, manage, and develop wireless networking policy and programs under the supervision of the Under Secretary for Research and Engineering, but shall inform and be informed by the activities of the cross-functional team established pursuant to subsection (c).

(2) Purview of experimentation and science and technology development.—The activities described in paragraph (1) shall remain within the purview of the Secretary of Defense as the Secretary considers appropriate, including the chief data officers and chief management officers of the military departments, the Under Secretary for Research and Engineering, and the joint staff.

(3) APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR OF THE NATIONAL DEFENSE STRATEGY.

(a) IDENTIFICATION OF USE CASES.—The Secretary of Defense, acting through such officials as the Secretary directs, shall identify a set of no fewer than five use cases of the application of existing artificial intelligence enabled systems...
to support improved management of enterprise acquisition, personnel, audit, or financial management functions, or other appropriate management functions, that are consistent with reform efforts that support the National Defense Strategy.

(b) PROTOTYPING ACTIVITIES ALIGNED TO USE CASES.—The Secretary, acting through the Under Secretary of Defense for Research and Engineering, in coordination with the Director of the Joint Artificial Intelligence Center and such other officers and employees as the Secretary considers appropriate, shall establish a program to support research and prototyping activities that leverage commercially available technologies and systems to demonstrate new artificial intelligence capabilities to support the use cases identified under subsection (a).

(c) BRIEFING.—Not later than October 1, 2021, the Secretary shall provide to the congressional defense committees a briefing summarizing the activities carried out under this section.

SEC. 214. EXTENSION OF AUTHORITIES TO ENHANCE INNOVATION AT DEPARTMENT OF DEFENSE LABORATORIES.


(b) EXTENSION OF PILOT PROGRAM TO IMPROVE EXPERIENCES FOR TECHNOLOGY TRANSFER FROM DEPARTMENT OF DEFENSE LABORATORIES.—Subsection (e) of section 233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2354 note) is amended to read as follows:—

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

SEC. 215. UPDATES TO DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

Section 234 of the John S. McCain National Defense Authorization Act for Fiscal year 2019 (Public Law 115–232; 10 U.S.C. 2358 note) is amended by adding at the end the following new subsection:

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

(1) develop and annually update a list of technical problems and research challenges which are likely to be addressable by quantum computers available for use within in the next one to three years, with a priority for technical problems and challenges where quantum computing systems have performance advantages over traditional computing systems, in order to enhance the capabilities of such quantum computers and support the addressing of relevant technical problems and research challenges; and

(2) establish programs and enter into agreements with appropriate medium and small businesses with functional quantum computing capabilities to provide such private sector capabilities to government, industry, and academic researchers to partner on relevant technical problems and research activities.”.

SEC. 216. PROGRAM OF PART-TIME AND TERM EMPLOYMENT AT DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF FACULTY AND STUDENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

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

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

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

(b) NUMBER OF POSITIONS.—

(1) IN GENERAL.—Not later than one year after the date of the commencement of the program established under subsection (a), the Secretary shall, under such program, establish at least 10 positions of employment described in paragraph (1) for faculty described in paragraph (1) of such subsection.

(2) ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.—If the positions established under paragraph (1), at least five of such positions shall be for faculty conducting research in the area of artificial intelligence and machine learning.

(c) SELECTION OF FELLOWS.—The Secretary, acting through the directors of the laboratories described in subsection (a), shall select faculty described in paragraph (1) of such subsection for participation in the program established under such subsection on the basis of—

(1) the academic credentials and research experience of the faculty;

(2) the potential contribution to Department objectives by the research that will be conducted by the faculty under the program; and

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

(d) AUTHORITIES.—In carrying out the program established under subsection (a), the Secretary and the directors of the laboratories described in such subsection may—

(1) use any hiring authority available to the Secretary or the directors, including any authority available under a laboratory demilitarization authority, or granting authority under section 1599h of title 10, United States Code, and expert hiring authority under section 3109 of title 5, United States Code;

(2) utilize cooperative research and development agreements under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3012), and awards for the sharing of research and expertise with institutions of higher education and the private sector; and

(3) provide referral bonuses to program participants and personnel to assist in a research project under the program or to participate in laboratory internship programs and the Pathways Internship Program.

(e) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until the date that is three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the program established under subsection (a).

(2) CONTENTS OF FIRST REPORT.—The first report submitted under paragraph (1) shall address—

(A) the number of faculty and students employed under the program.

(B) the laboratories employing such faculty and students.

(C) the types of research conducted or to be conducted by such faculty or students.

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

(A) the matters set forth in subparagraphs (A) through (C) of paragraph (2).

(B) the number of interns and recent college graduates hired pursuant to referrals under subsection (d)(3).

(C) the results of research conducted under the program.

(f) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORY DEFINED.—In this section, the term ‘‘Department of Defense science and technology reinvention laboratory’’ means the entities designated by section 1106(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

SEC. 217. IMPROVEMENTS TO TECHNOLOGY AND NATIONAL SECURITY FELLOWSHIP OF DEPARTMENT OF DEFENSE.

(a) MODERNIZATION.—Subsection (a)(4)(A) of section 235 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by striking ‘‘equivalent to’’ and inserting ‘‘not less than’’; and

(2) by inserting ‘‘and not more than the rate of basic pay payable for a position at level of such schedule’’ before the semicolon.

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

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

SEC. 218. DEPARTMENT OF DEFENSE RESEARCH, DEVELOPMENT, AND DEPLOYMENT OF TECHNOLOGY TO SUPPORT WATER SUSTAINMENT.

(a) IN GENERAL.—The Secretary of Defense shall research, develop, and deploy advanced technologies that support water sustainment with technologies that capture ambient humidity and harvest, recycle, and reuse water.

(b) GOAL.—Under subsection (a), the Secretary shall seek to develop water systems that will increase water availability and transition such advanced technologies for use by expeditionary forces by January 1, 2028.

(c) MODULAR PLATFORMS.—In carrying out subsection (a), the Secretary shall develop the following:

(1) Modular platforms that are easily transportable.

(2) Trailer mounted systems that will reduce resupply.

(3) Storage requirements at forward operating bases.

(d) PARTNERSHIPS AND EXISTING TECHNOLOGIES.—In carrying out subsection (a), the Secretary shall encourage—

(1) to enter into partnerships with foreign militaries and organizations that have proven they have the ability to operate in water constrained areas;

(2) to leverage existing techniques and technologies; and

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

(e) COMMERCIAL OFF-THE-SHELF TECHNOLOGIES.—In carrying out subsection (a), in addition to technology described in such subsection, the Secretary shall consider using commercial off-the-shelf technologies for commercial off-the-shelf technologies to enable warfighters to become more self-sufficient.
(f) Cross Functional Teams.—In carrying out subsection (a), the Secretary shall establish cross functional teams to determine regions where deployment of water harvesting technologies could reduce conflict and potentially eliminate the need for the presence of the Armed Forces.

SEC. 219. DEVELOPMENT AND TESTING OF HYPERSONIC CAPABILITIES.

(a) Sense of Congress on Hypersonic Capabilities.—It is the sense of Congress that development of hypersonic capabilities is a key element of the National Defense Strategy.

(b) Improving Ground-Based Test Facilities.—The Secretary of Defense shall take such actions as may be necessary to improve ground-based test facilities for the development of hypersonic capabilities, such as improving wind tunnels.

(c) Increasing Flight Test Rate.—The Secretary shall increase the flight test rate to expedite the maturation and fielding of hypersonic technologies.

(d) Strategy and Plan.—

(1) In General.—Not later than December 30, 2020, the Under Secretary of Defense for Research and Engineering, in consultation with the Chief of Staff of the Air Force, shall submit to the congressional defense committees an executable strategy and plan to field air-launched and air-breathing hypersonic weapons capabilities before the date that is three years after the date of the enactment of this Act.

(2) Testing and Infrastructure.—The strategy and plan submitted under paragraph (1) shall cover required investments in testing and infrastructure to address the need for both flight and ground testing.

SEC. 220. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF DEPARTMENT OF DEFENSE RESEARCH AND DEVELOPMENT GRANTS.

(a) Disclosure Requirements.—

(1) In General.—Chapter 139 of title 10, United States Code, is amended by adding at the end the following new section:

"S 2374b. Disclosure requirements for recipients of research and development grants

"An individual or entity (including a State or local government) that receives Department of Defense funds for research and development shall clearly state in any state- ment, press release, or other document describing the project, program, or activity funded through grant funds, or other information containing more than 280 characters, the dollar amount of Department of Defense funds made available for the program, project, or activity."

(2) Clerical Amendment.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by adding at the end the following new item:

"S 2374b. Disclosure requirements for recipients of research and development grants."

(b) Effective Date.—The amendments made by subsection (a) shall take effect on October 1, 2021, and shall apply with respect to grants for research and development that are awarded on or after that date.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. ASSESSMENT ON UNITED STATES NA- TIONAL SECURITY EMERGING BIO- TECHNOLOGY EFFORTS AND CAPA- BILITIES AND COMPARISON WITH FOREIGN TECHNOLOGY EFFORTS AND CA- PABILITIES.

(a) Assessment and Comparison Required.—

(1) In General.—The Secretary of Defense shall conduct an assessment and direct comparison of capabilities in emerging biotechnology for national security purposes, including applications in material, manufacturing, and health, between the capabilities of the United States and the capabilities of adversaries of the United States.

(2) Elements.—The assessment and comparison carried out under paragraph (1) shall include the following:

(A) An evaluation of the quantity, quality, and progress of United States fundamental research for emerging biotechnology initiatives for national security purposes.

(B) An assessment of the resourcing of United States efforts to harness emerging biotechnology capabilities for national security purposes, including the supporting facilities, test infrastructure, and workforce.

(C) An intelligence assessment of adversary emerging biotechnology capabilities and research as well as an assessment of adversary incentives and willingness to use emerging biotechnologies for national security purposes.

(D) An assessment of the analytic and operational requirements necessary to assess rapidly-evolving foreign military developments in biotechnology, and the current state of the workforce in the intelligence community.

(E) Recommendations to improve and accelerate United States capabilities in emerging biotechnologies and the associated intelligence community.

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

(b) Report.—

(1) In General.—Not later than February 1, 2021, the Secretary shall submit to the congressional defense committees a report on the assessment carried out under subsection (a).

(2) Form.—The report submitted under paragraph (1) shall be submitted in the following formats:

(A) An unclassified form, which may include a classified annex; and

(B) a publically releasable form, representing appropriate information from the report under subparagraph (A).

(c) Definition of Intelligence Community.—For purposes of this section, the term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 232. NATIONAL SECURITY ANALYSIS OF EFFORTS BY CHINA AND THE UNITED STATES TO RECRUIT AND RETAIN DOMESTIC AND FOREIGN BIOPHYSICAL TECHNOLOGY REINVENTION LABORATORIES.

(a) Agreement.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine representing appropriate information from the report under subsection (a).

(b) Report.—

(1) In General.—Not later than one year after the date of the execution of an agreement under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall submit to the congressional defense committees a report on the findings of the National Academies of Sciences, Engineering, and Medicine with respect to the review conducted under this section and the recommendations developed under this section.

(2) Form.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified format, but may include a classified annex.

SEC. 233. DEPARTMENT OF DEFENSE DEMONSTRATION OF VIRTUALIZED RADIO ACCESS NETWORK AND MASSIVE MULTIPLE INPUT MULTIPLE OUTPUT RADIO ARRAYS FOR FIFTH GENERATION WIRELESS NETWORKING.

(a) Demonstration Required.—The Secretary of Defense shall carry out a demonstration to demonstrate the maturity, performance, and cost of covered technologies in order to provide additional options for providers of fifth-generation (5G) wireless networking services.

(b) Covered Technologies.—For purposes of this section, a covered technology is—

(1) a disaggregated or virtualized radio access network and core network service that can be provided by different vendors and operate through open protocols and interfaces; and

(2) at least two or more massive multiple input and multiple output radio arrays provided by United States companies that have the potential to compete favorably with radios provided by foreign equipment in terms of cost, performance, and efficiency.

(c) Location.—The Secretary shall carry out the demonstration under subsection (a) at least one site within the Department of Defense plans to deploy a fifth-generation wireless network.
(d) COORDINATION.—The Secretary shall carry out the demonstration under subsection (a) in coordination with at least one major United States wireless network service provider.


(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the National Academies of Sciences, Engineering, and Medicine to perform the services covered by this section.

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) not later than 30 days after the date of this Act.

(b) INDEPENDENT TECHNICAL REVIEW.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academies of Sciences, Engineering, and Medicine under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall carry out an independent technical review of the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48), to the extent that such evaluation affects the devices, operations, or activities of the Department of Defense.

(2) ELEMENTS.—The independent technical review shall include the following:

(A) Comparison of the two different approaches on which the Commission relied for the order and authorized described in paragraph (1) to evaluate the potential harmful interference concerns relating to Global Positioning System devices, with a recommendation on which method most effectively mitigates risks of harmful interference with Global Positioning System devices of the Department, or relating to or with the potential to affect the operations and activities of the Department.

(B) Assessment of the potential for harmful interference to mobile satellite services, including commercial services and Global Positioning System services of the Department, or relating to or with the potential to affect the operations and activities of the Department.

(C) Review of the feasibility, practicality, and effectiveness of the proposed mitigation measures relating to, or with the potential to affect, the devices, operations, or activities of the Department.

(D) Development of recommendations associated with the findings of the National Academies of Sciences, Engineering, and Medicine in carrying out the independent technical review.

(E) Such other matters as the National Academies of Sciences, Engineering, and Medicine determines relevant.

(c) REPORT.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academies of Sciences, Engineering, and Medicine under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall, not later than nine months after the date of the execution of such agreement, the National Academies of Sciences, Engineering, and Medicine shall, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the National Academies of Sciences, Engineering, and Medicine with respect to the independent technical review carried out under subsection (b) and the recommendations and consultation conducted pursuant to such agreement.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified format, but may include a classified annex.

SEC. 235. REPORT ON MICRO NUCLEAR REACTOR PROGRAMS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the appropriate congressional committees a report on the micro nuclear reactor programs of the Department of Defense.

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

(1) Potential operational uses on United States and non-United States territory, including both mobile and fixed systems.

(2) Cost and schedule estimates for each new or continuing program to reach initial operational capability, including the timeline for transition of any program currently funded using defense-wide funds to one or more military services and the identified transition partner in such military services.

(3) In consultation with the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense programs, an assessment of physical security requirements for use of such reactors on domestic military installations and non-military installations or locations, including fully permissible, semi-permissive, and remote environments, including a preliminary design basis threat analysis.

(4) In coordination with the Secretary of State—

(A) an assessment of any agreements or changes to agreements would be required for use of such reactors on non-United States territory;

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

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

(5) In coordination with the Chairman of the Nuclear Regulatory Commission, a summary of licensing requirements for operation of such systems on United States territory.

(6) A summary of requirements pursuant to the National Environmental Policy Act of 1969 (22 U.S.C. 3221 et seq.) for development and operation on United States territory.

(7) In consultation with the General Counsel of the Department of Defense, an assessment of any impact on the Navy's ability to install such reactors and operate them in non-United States territory; and

(8) In coordination with the Secretary of State and the Secretary of Energy, a determination of whether development, production, and deployment of such systems would require unobligated enriched uranium fuel.

(9) If the determination in paragraph (8) is not that unobligated fuel would be required, in coordination with the Administrator for Nuclear Security, an assessment of the availability of such unobligated enriched uranium fuel, by year, for the estimated life of the programs covered by that determination, for use by the United States Government demands for such fuel, including tritium production, naval nuclear propulsion, and medical isotope production.

(10) Any other considerations the Secretary determines relevant.

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

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

(e) DEFINITIONS.—In this section:

(1) The term ‘appropriate congressional committees’ means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Foreign Affairs of the House of Representatives.

(2) The term ‘micro nuclear reactor’ means a nuclear reactor with a production capacity of less than 20 megawatts.

SEC. 236. MODIFICATION TO TEST RESOURCE MANAGEMENT CENTER STRATEGIC PLAN REPORTING CYCLE AND CONTENTS.

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

(1) in subsections (c)(1)(C) and (e)(2)(B), by inserting ‘‘quadrennial’’ before ‘‘strategic plan’’;

(2) in subsection (d)—

(A) in the heading, by inserting ‘‘QUADRENNIAL’’ before ‘‘STRATEGIC PLAN’’; and

(B) by inserting ‘‘quadrennial strategic plan’’ before ‘‘strategic plan’’ each place it occurs;

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

(1) in the first sentence, by striking ‘‘two fiscal years’’ and inserting ‘‘four fiscal years, and within one year after release of the National Defense Strategy’’;

(2) in subsection (a)(3), by striking ‘‘(i) A summary of changes to the assessment conducted in the most recent quadrennial strategic plan.’’;

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

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C) through (G) as subparagraphs (B) through (P), respectively; and

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

‘‘(3)(A) In addition to the quadrennial strategic plan completed under paragraph (1), the Director of the Department of Defense Test Resource Management Center shall also complete an annual update to the quadrennial strategic plan.

(B) Each annual update completed under subparagraph (A) shall include the following:

(i) A summary of changes to the assessment conducted in the most recent quadrennial strategic plan.

(ii) Comments and recommendations the Director considers appropriate.

(T) waiver of evaluation challenges raised since the completion of the most recent quadrennial strategic plan.

(iv) Actions taken or planned to address such challenges.

(e) TECHNICAL CORRECTION.—Subsection (d)(1) of such, as amended by subsections (a)(2) and (b), is further amended by striking ‘‘Infrastructure, Operations, and Evaluation Center’’ and inserting ‘‘Test Resource Management Center’’.
SEC. 237. LIMITATION ON CONTRACT AWARDS FOR CERTAIN UNMANNED VESSELS.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2021 by section 201 for research, development, test, and evaluation may be used for the award of a contract for a covered vessel until the date that is 36 days after the date on which the Under Secretary of Defense for Research and Engineering submits to the congressional defense committees a report and certification described in subsection (c) for such contract and covered vessel.

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

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

(2) A medium unmanned surface vehicle (MUSV).

(3) A large displacement unmanned undersea vehicle (LDUUV).

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

(c) REPORT AND CERTIFICATION REQUIRED.—A report and certification described in this subsection regarding a contract for a covered vessel is—

(1) a report—

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

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

(2) a certification, submitted to the congressional defense committees with the report described in paragraph (1), that certifies that—

(A) the Under Secretary has determined, in conjunction with the Senior Technical Authority designated under section 6669h(a)(1) of title 10, United States Code, for the class of naval vessels that includes the covered vessel, that the critical mission, hull, mechanical, and electrical subsystems of the covered vessel—

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

(ii) have achieved performance levels equal to or greater than applicable Department of Defense threshold requirements for such class of vessels; and

(B) such contract is necessary to meet Department research, development, test, and evaluation objectives for such covered vessel that cannot otherwise be met through further land-based subsystem prototyping or other development approaches.

(d) CRITICAL MISSION, HULL, MECHANICAL, AND ELECTRICAL SUBSYSTEMS DEFINED.—In this section, the term "critical mission, hull, mechanical, and electrical subsystems" with respect to a covered vessel, includes the following subsystems:

(1) Command, control, communications, computer, intelligence, surveillance, and reconnaissance.

(2) Autonomous vessel navigation, vessel control, contact management, and contact avoidance.

(3) Communications security, including cryptography, encryption, and decryption.

(4) Main engines, including the lube oil, fuel oil, and other supporting systems.

(5) Electrical generation and distribution, including supporting systems.

(6) Military payloads.

(7) Other systems identified as critical by the Senior Technical Authority designated under section 6669h(a)(1) of title 10, United States Code, for the class of naval vessels that includes the covered vessel.

SEC. 238. DOCUMENTATION RELATING TO THE ADVANCED BATTLE MANAGEMENT SYSTEM.

(a) DOCUMENTATION REQUIRED.—Immediately upon the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees the following documentation relating to the Advanced Battle Management System:

(1) A list that tracks program, project, and activity that contributes to the architecture of the Advanced Battle Management System.

(2) The technical analysis of alternatives for the Advanced Battle Management System.

(3) The requirements for the networked data architecture necessary for the Advanced Battle Management System to provide multidomain command and control and battle management capabilities and a development schedule for such architecture.

(b) LIMITATION.—None of the funds authorized to be appropriated by the Act for fiscal year 2021 for operations and maintenance for the Office of the Secretary of the Air Force, not more than 25 percent may be obligated until the date that is 36 days after the date on which the Secretary of the Air Force submits to the congressional defense committees the documentation required by subsection (a) and the Vice Chairman of the Joint Chiefs certifies the documentation.

(c) ADVANCED BATTLE MANAGEMENT SYSTEM.—In this Act, the term "Advanced Battle Management System" means the Advanced Battle Management System of Systems capability of the Air Force, including each program, project, and activity that contributes to such capability.

SEC. 239. ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST SPECIFIC PURPOSE ADVANCED ADDRESS COMPUTATIONAL THINKING.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a special purpose test adjoint to the Armed Services Vocational Aptitude Battery test to address computational thinking skills relevant to military applications, including problem decomposition, abstraction, pattern recognition, analytical ability, the identification of variables involved in data representation, and the ability to create algorithms and solution expressions.

SEC. 240. REPORT ON USE OF TESTING FACILITIES TO RESEARCH AND DEVELOP HYPERSONIC TECHNOLOGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Armed Services Committees on the use of hypersonic technology to address hypersonic activities of the Department of Defense.

SEC. 241. STUDY AND PLAN ON THE USE OF ADDITIVE MANUFACTURING AND THREE-DIMENSIONAL BIOPRINTING IN SUPPORT OF THE WARFIGHTER.

(a) STUDY.—The Secretary of Defense shall conduct a study on the use of additive manufacturing and three-dimensional bioprinting across the Military Health System.

(b) ELEMENTS.—The study required by subsection (a) shall examine the activities currently undertaken by the Military Services and the Department agencies, including costs, sources of funding, oversight, collaboration, and outcomes.

(c) 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 the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under subsection (a).

SEC. 242. ELEMENT IN ANNUAL REPORTS ON CYBER SCIENCE AND TECHNOLOGY ACTIVITIES ON WORK WITH ACAD- DEMIC CONORTA ON PRIORITY CYBERSECURITY RESEARCH ACTIVITIES IN DEPARTMENT OF DEFENSE CAPABILITIES.

Section 257(b)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. No. 116-92, 133 Stat. 1291) is amended by adding at the end the following new subparagraph:

"(J) Efforts to work with academic consortia on high priority cybersecurity research activities;"

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 tables in section 3401.
(a) Use of Funds.—Section 2684a(i) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) Funds obligated to carry out an agreement under this section shall be available for use with regard to any property in the geographic scope specified in the agreement—

"(A) at the time the funds are obligated; and

"(B) in any subsequent modification to the agreement.

(b) Clarification of References to Eligible Entities.—

(1) Definition.—Subsection (b) of section 2684a of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking "An agreement under this section" and inserting "For purposes of this section, an eligible entity is—"

(2) Acquisition of Property and Interests.—Subsection (c) is amended by striking "the entity or entities" each place it appears and inserting "an eligible entity or entities".

(3) Retrospective Application.—The amendments made by paragraphs (1) and (2) shall apply to any agreement entered into under section 2684a of title 10, United States Code, before or on August 5, 2020.

SEC. 313. SURVEY AND MARKET RESEARCH OF TECHNOLOGIES FOR PHASE OUT BY DEPARTMENT OF DEFENSE OF USE OF FLUORINATED AQUEOUS FILM-FORMING FOAM.

(a) Survey of Technologies and Market Research.—

(1) In General.—The Secretary of Defense shall conduct a survey and market research of relevant technologies, other than firefighting agent solutions, to determine whether any such technologies are available and can be adapted quickly for use by the Department of Defense to execute the phase-out by the Department of the use of fluorinated aqueous film-forming foam.

(2) Technologies Included.—The technologies surveyed or researched under paragraph (1) shall include the following:

(A) Film-forming foam that are undergoing addition or analysis.

(B) Liquid drainage flood assemblies.

(C) Fire-fighting agent delivery systems.

(D) Containment systems.

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

(b) Briefing.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on the results of the survey and market research conducted under subsection (a).

(2) Elements of Briefing.—The briefing required under paragraph (1) shall include the following:

(A) A description of the technologies surveyed and researched under subsection (a).

(B) An identification of any such technologies that were considered for further testing or analysis.

(C) An identification of any other technologies useful for the phase-out by the Department of the use of fluorinated aqueous film-forming foam, that are undergoing additional analysis for possible application within the Department.

SEC. 314. MODIFICATION OF AUTHORITY TO CARRY OUT MILITARY INSTALLATION RESILIENCE PROJECTS.

(a) Modification of Authority.—Section 2815 of title 10, United States Code is amended—

(1) in subsection (a), by inserting "except as provided in subsections (d)(3) and (e)" before the period at the end;

(2) in subsection (c), by striking "A project" and inserting "Except as provided in subsection (e)(2), a project;"

(3) by redesignating subsection (d) as subsection (e); and

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

"(d) Location of Projects.—Projects carried out pursuant to this section may be carried out—

"(1) on a military installation;

"(2) on a facility used by the Department of Defense that is operated and maintained by a State, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands, even if the facility is not under the jurisdiction of the Department of Defense, if the Secretary of Defense determines that the facility is subject to significant use by the armed forces for training or testing; or

"(3) outside of a military installation or facility, if the Secretary of Defense determines that the project would preserve or enhance the resilience of—

"(A) a military installation;

"(B) a facility described in paragraph (2); or

"(C) community infrastructure determined by the Secretary concerned to be necessary to maintain, improve, or rapidly reestablish installation mission assurance and mission-essential functions."

(b) Alternative Funding Sources.—(1) In carrying out a project under this section, the Secretary may use amounts available for operation and maintenance for the department concerned in the military construction authorization act for operation and maintenance of an eligible entity even if the project is determined by the Secretary concerned to be necessary to maintain, improve, or rapidly reestablish installation mission assurance and mission-essential functions.

"(2) Authorization of Funds.—(A) The Secretary concerned shall ensure that the project is—

"(i) carried out only after the end of the 7-day period following any notification described in paragraph (1) of the notification of the determination described in paragraph (1) of the notification described in paragraph (1) of the notification described in paragraph (1); and

"(ii) carried out only after the end of the 7-day period following any notification described in paragraph (1) of the notification of the determination described in paragraph (1) of the notification described in paragraph (1); and

"(B) any funds made available to carry out the project under this section—

"(i) shall be treated as funds made available to carry out a project under the construction authorization act for a fiscal year;

"(ii) shall be used—

"(I) in accordance with the requirements and limitations of the construction authorization act for a fiscal year;

"(II) in accordance with any requirements of the construction authorization act for a fiscal year, to the extent that the Secretary concerned determines appropriate; and

"(III) to carry out the project; and

"(C) may be part of the amounts and includes in the notification—

"(1) the estimated cost of the project;

"(2) the source of funds for the project; and

"(3) a certification that deferral of the project for inclusion in the next Military Construction Authorization Act would be inconsistent with national security or the protection of health, safety, or environmental quality, as the case may be.

(2) A project carried out under this section using amounts under paragraph (1) may be carried out only after the end of the 7-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of title 10.

(3) The maximum aggregate amount that the Secretary concerned may use from amounts available to the military department concerned for operation and maintenance in any fiscal year for projects under this subsection is $100,000,000."

(c) Consideration of Military Installation Resilience in Agreements and Interagency Cooperation.—Section 2684a of title 10, United States Code, is amended by adding the following new paragraph:

"(2) Elements of Briefing.—The briefing required under paragraph (1) shall include the following:

(A) A description of the technologies surveyed and researched under subsection (a).

(B) An identification of any such technologies that were considered for further testing or analysis.

(C) An identification of any other technologies useful for the phase-out by the Department of the use of fluorinated aqueous film-forming foam, that are undergoing additional analysis for possible application within the Department.
of funds provided pursuant to an agreement under this section or under the Sikes Act (16 U.S.C. 670 et seq.) may, with regard to the lands and waters within the scope of the agreement, be used to match any funds or cost-sharing requirement of any conservation or resilience program of any Federal agency notwithstanding any limitation on the source of matching or cost-sharing funds.

SEC. 315. NATIVE AMERICAN INDIAN LANDS ENVIRONMENTAL MITIGATION PROGRAM.

(a) In general.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2712. Native American lands environmental mitigation program

"(a) In general.—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of actions by the Department of Defense on Indian lands and culturally connected locations.

"(b) PROGRAM ACTIVITIES.—The activities that may be carried out under the program established under subsection (a) are the following:

"(1) Identification, investigation, and documentation of suspected environmental effects attributable to past actions by the Department of Defense.

"(2) Development of mitigation options for such environmental effects, including developing complete estimates of system for prioritizing mitigation actions.

"(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past actions by the Department.

"(4) Removal and reuse of offsite buildings and structures used by, under the jurisdiction of, or formerly used by or under the jurisdiction of the Department.

"(5) Training, technical assistance, and administrative support to facilitate the meaningful participation of Indian tribes in mitigation actions under the program.

"(6) Development and execution of a policy governing consultation with Indian tribes that have been or may be affected by action by the Department, including training personnel of the Department to ensure compliance with the policy.

"(c) COOPERATIVE AGREEMENTS.—(1) In carrying out the program established under subsection (a), the Secretary of Defense may enter into cooperative agreements with Indian tribes or an instrumentality of tribal government.

"(2) Notwithstanding chapter 63 of title 31, the term 'Indian Tribe' means any Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

"(3) A cooperative agreement under this section shall (A) establish a schedule of black start exercises for energy and utility services, the Secretary shall provide uniform policy for the military departments and the Defense Agencies with respect to conducting black start exercises; and

"(4) The Secretary of each military department shall provide uniform policy for conducting black start exercises, and

"(b) The energy requirements of those critical missions shall be met by the end of fiscal year 2029, the Secretary determines that the Department will be unable to meet the requirements for fiscal year 2027. The Secretary of each military department and the head of each Defense Agency shall ensure the requirements under this subsection are met.

"(c) PLANNING. The Secretary of Defense shall require the Secretary of each military department and the head of each Defense Agency to plan for the provision of energy resilience and energy security for installations.

"(2) Planning under paragraph (1) shall—

"(A) promote the use of multiple and diverse sources of energy, with an emphasis favoring energy resources originating on the installation such as modular generation;

"(B) promote installing microgrids to ensure the energy security and energy resilience of critical missions; and

"(C) favor the use of full-time, installed energy sources rather than emergency generation.

"(d) DEVELOPMENT OF INFORMATION.—The planning required by paragraph (b) shall identify each of the following for each installation:

"(1) The critical missions of the installation.

"(2) The energy requirements of those critical missions.

"(3) The duration that those energy requirements shall be met in the event of a disruption or emergency.

"(4) The current source of energy provided to those critical missions.

"(5) The currently provided energy would likely be available in the event of a disruption or emergency.

"(6) Any currently available sources of energy that would provide uninterrupted energy to critical missions in the event of a disruption or emergency.

"(7) The energy sources that could be developed to provide uninterrupted energy to critical missions in the event of a disruption or emergency.

"(8) ESTABLISHMENT.—The Secretary of Defense shall require the Secretary of each military department and head of each Defense Agency to conduct monitoring, measuring, and testing to provide the data necessary to comply with this section.

"(b) Any data provided under subparagraph (a)(7) shall be available to the Assistant Secretary of Defense for Sustainment upon request.

"(2) The Secretary of Defense shall require that black start exercises be conducted to assess the energy resilience and energy security of installations for periods established to evaluate the ability of the installation to perform critical missions without access to off-installation energy resources.

"(B) Any black start exercise conducted under subparagraph (a) may exclude, if technically feasible, facilities, commissaries, exchanges, and morale, welfare, and recreation facilities.

"(C) The Secretary of Defense shall provide uniform policy for the military departments and the Defense Agencies with respect to conducting black start exercises; and

"(ii) any data provided under subparagraph (a)(7) shall be available to the Assistant Secretary of Defense for Sustainment upon request.

"(2) establish a schedule of black start exercises for the military departments and the Defense Agencies, with each military department and Defense Agency scheduled to conduct an exercise each year sufficient to allow that department or agency to prepare for an event not fewer than five installations for each fiscal year for each military department through fiscal year 2027.

"(D)(i) Except as provided in clause (ii), the Secretary of each military department shall, notwithstanding any other provision of law, conduct black start exercises in accordance with the schedule provided for in subparagraph (C)(ii), with any such exercise not to last longer than five days.

"(ii) The Secretary of each military department may conduct black start exercises to meet the requirements for fiscal year 2022, the Secretary determines that the Department will be unable to meet the requirements for fiscal year 2027. The Secretary of each military department and the head of each Defense Agency shall ensure the requirements under this section are met.

"(e) CONTRACT REQUIREMENTS.—For contracts for energy and utility services, the Secretary of Defense shall—

"(1) specify methods and processes to measure, manage, and verify compliance with subsection (a); and

"(2) ensure that such contracts include requirements appropriate to ensure energy resilience and energy security, including requirements for measuring, managing, and verifying energy consumption, availability, and reliability consistent with this section and the energy resilience metrics and standards under section 2911(b) of this title.

"(f) EXCEPTION.—This section does not apply to fuels used in aircraft, vessels, or motor vehicles.

"(g) REPORT.—If by the end of fiscal year 2029, the Secretary determines that the Department will be unable to meet the requirements under subsection (a), not later than 90 days after the end of such fiscal year, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report detailing—

"(1) the projected shortfall;

"(2) reasons for the projected shortfall;

"(3) any statutory, technological, or monetary impediments to achieving such requirements;
means the demonstration initiative established under section (a) at not fewer than 2 facilities or installations of the Department of Defense in the continental United States that—
(A) have the largest total number of attached noncombat vehicles as compared to other facilities or installations of the Department of Defense; and
(B) are located within 20 miles of public or private refueling or recharging stations.

(2) AIR FORCE LOGISTICS CENTER.—One of the facilities or installations selected under paragraph (1) shall be an Air Force Logistics Center.

(c) ALTERNATIVE FUEL VEHICLE DEFINED.—In this section, the term "alternative fuel vehicle" includes a vehicle that uses—

(fuels derived from renewable biomass, as defined in section 2110(o)(1)(I) of the Clean Air Act (42 U.S.C. 7545(o)(1)(I));
(2) natural gas (including compressed and liquefied natural gas); or
(3) propane.

SEC. 320. EXTENSION OF REAL-TIME SOUND MONITORING AT NAVY INSTALLATIONS WHERE TACTICAL FIGHTER AIRCRAFT OPERATE.
Section 320(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended by striking "a 12-month period" and inserting "two 12-month periods, including one such period that begins in fiscal year 2021 for Operation and Maintenance, Defensewide.

SEC. 321. STUDY ON IMPACTS OF TRANSBOUNDARY FLOWS, SPILLS, OR DISCHARGES OF OILS OR OIL DERIVATIVES FROM THE TIJUANA RIVER ON PERSONNEL, ACTIVITIES, AND INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) STUDY.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Environmental Protection Agency, the Secretary of the Navy, and the United States Commissioner of the International Boundary and Water Commission, shall commission an independent scientific study of the impacts of transboundary flows, spills, or discharges of oil or oil derivatives from the Tijuana River on the personnel, activities, and installations of the Department of Defense.

(b) ELEMENTS.—The study required by paragraph (1) shall address the short-term, long-term, primary, and secondary impacts of oil spills and discharges of oil or oil derivatives from the Tijuana River and include recommendations to mitigate such impacts.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report containing the results of the study under subsection (a), including all findings and recommendations resulting from the study.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Armed Services, the Committee on Environment and Public Works, and the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 322. INCREASE IN FUNDING FOR STUDY BY NATIONAL SCIENCE FOUNDATION TO CONTROL AND PREVENTION RELATING TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE CONTAMINATION IN DRINKING WATER.

(a) IN GENERAL.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Defense

SEC. 319. PILOT PROGRAM ON ALTERNATIVE FUEL VEHICLE PURCHASING.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of Energy and the Administrator of the General Services Administration, shall carry out a pilot program under which the Secretary of Defense may, notwithstanding section 2002A of the Energy Policy and Conservation Act (42 U.S.C. 6374), purchase new alternative fuel vehicles for which the initial cost of which vehicles exceeds the initial cost of a comparable gasoline or diesel fueled vehicle by more than 10 percent.

(b) ESTABLISHMENT OF INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall carry out the pilot program under sub-
Wide for SAG 4CTN for the study by the Centers for Disease Control and Prevention under section 318(a)(2)(B)(ii) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350) is hereby increased by $5,000,000.

2. Offset.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Army for SAG 421, Servicewide Transportation is hereby reduced by $5,000,000.

(b) InCREASE IN TRANSFER AUTHORITY.—Section 315(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–222; 132 Stat. 1713), is amended by striking “$10,000,000” and inserting “$15,000,000”.

Subtitle C—Logistics and Sustainment

SEC. 331. REPEAL OF STATUTORY REQUIREMENT FOR NOTIFICATION TO DIRECTOR OF DEFENSE LOGISTICS AGENCY.

(a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that each military installation under the jurisdiction of the Secretary that does not conduct live emergency response training on an annual basis or more frequently with the civilian law enforcement and emergency response agencies responsible for responding to an emergency at the installation develops a plan to conduct such training.

(b) Each plan developed under paragraph (1) shall include—

(1) an identification of all military and civilian personnel who participated in the exercise;

(2) any recommendations resulting from the exercise;

(3) the actions taken, if any, to implement such recommendations.

(C) INCLUSION IN ANNUAL BUDGET SUBMISSION.—In general.—The Secretary shall include in the budget submitted to Congress by the President pursuant to section 1105(a) of title 31, United States Code, in any annual report submitted to the Secretary under subparagraph (A) during the one-year period preceding the submittal of the budget.

(d) NOTIFICATION TO DIRECTOR OF DEFENSE LOGISTICS AGENCY.—(1) The Secretary shall submit to the Director of Defense Logistics Agency a report on each live emergency response training conducted during the one-year period preceding the submittal of the budget described in subparagraph (C)(i) for fiscal year 2023.

SEC. 332. CLARIFICATION OF LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF CURRENTLY Deployed NAVAL VESSELS.

Section 232(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–222; 132 Stat. 1720; 10 U.S.C. 8600 note) is amended by inserting “in the case of any naval vessel” and inserting “In the case of any aircraft carrier, amphibious ship, frigate, destroyer, or littoral combat ship.”

Subtitle D—Reports

SEC. 351. REPORT ON IMPACT OF PERMAFROST THAW ON INFRASTRUCTURE, FACILITIES, AND OPERATIONS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive report on the impact of permafrost thaw on the infrastructure, facilities, assets, and operations of the Department of Defense.

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

(1) An assessment of the threat posed by permafrost thaw;

(2) An estimate of the cost to the Department of Defense that could be impacted by permafrost thaw;

(3) A description of the threats and impacts posed by permafrost thaw to military and other national security operations.

(c) CONSULTATION.—In preparing the report under subsection (a), the Secretary may consult with agencies, agencies of State and local governments, and academic institutions with expertise or experience in the effects of permafrost thaw on infrastructure, facilities, and operations.

(d) Asset Defined.—In this section, the term “asset” means the following:

(1) Any aircraft, weapon system, vehicle, equipment, or gear of the Department of Defense or the Armed Forces.

(2) Any other item of the Department or the Armed Forces that the Secretary considers appropriate for purposes of this section.

SEC. 352. PLANS AND REPORTS ON EMERGENCY RESPONSE TRAINING FOR MILITARY INSTALLATIONS.

(a) PLANS.—(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that each military installation under the jurisdiction of the Secretary that does not conduct live emergency response training on an annual basis or more frequently with the civilian law enforcement and emergency response agencies responsible for responding to an emergency at the installation develops a plan to conduct such training.

(2) ELEMENTS.—Each plan developed under paragraph (1) shall include—

(A) an assessment of the collaboration between the Department of Defense and the military or civilian agencies of the government of that
country or nongovernmental organizations operating in that country to adapt to risks from extreme weather.

(5) An assessment of how extreme weather affects national security and food security on military installations.

(6) An assessment of the strategic benefits derived from isolating infrastructure of the Department of Defense from the national electric grid and the use of energy-efficient, distributed, and smart power grids by the Armed Forces in the United States and ensure to afford affordable access to electricity.

(7) A list of ten military installation resilience projects conducted within each military department.

(8) An overview of mitigations, in addition to current efforts undertaken by the Department, that may be necessary to ensure the continued operational viability and to increase the resilience of military installations, and the estimated costs of those mitigations.

(c) Consultation.—In developing the report required by subsection (a), the Secretary of Defense shall consult with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Federal Emergency Management Agency, the Administrator of the Army Corps of Engineers, the Administrator of the National Aeronautics and Space Administration, a federally funded research and development center, and, to the extent of such other relevant Federal agencies as the Secretary of Defense determines appropriate.

(d) Form of Report.—The report required by subsection (a) shall be submitted in an unclassified form but may contain a classified annex if necessary.

(e) Publication.—Upon submittal of the report required by subsection (a), the Secretary of Defense shall publish the unclassified portion of the report on an Internet website of the Department of Defense that is available to the public.

(f) Definitions.—In this section:

(1) Extreme weather.—The term ‘‘extreme weather’’ means recurrent flooding, drought, desertification, wildfires, and thawing permafrost.

(2) United States.—The term ‘‘United States’’ means the several States, the District of Columbia, and any territory or possession of the United States.

Subtitle E—Other Matters

SEC. 371. PROHIBITION ON DIVESTURE OF MANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT OPERATED BY UNITED STATES SPECIAL OPERATIONS COMMAND.

No funds authorized to be appropriated by this Act may be used to divest any manned intelligence, surveillance, and reconnaissance aircraft operated by the United States Special Operations Command, and the Department of Defense may not divest any manned intelligence, surveillance, and reconnaissance aircraft operated by the United States Special Operations Command in fiscal year 2021.

SEC. 372. INFORMATION ON OVERSEAS CONSTRUCTION PROJECTS IN SUPPORT OF CONTINGENCY OPERATIONS USING FUNDS FOR OPERATION AND MAINTENANCE.

(a) Annual Budget Justification Display.—Section 222(b) of title 10, United States Code, is amended—

(1) by striking ‘‘The Secretary concerned’’ and inserting ‘‘(1) The Secretary concerned’’; and

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

‘‘(2) The Secretary of each military department, the Director of each Defense Agency, and the head of any other relevant component of the Department of Defense shall submit a report to the Under Secretary of Defense (Comptroller) relevant data regarding all overseas construction projects funded with amounts appropriated or otherwise made available for operation and maintenance in support of contingency operations.

‘‘(3) (A) The Secretary of Defense shall prepare, for inclusion in the annual budget submission by the President to Congress under section 1105 of title 31, a consolidated budget justification display, in classified and unclassified form, that identifies all overseas construction projects funded with amounts appropriated or otherwise made available for operation and maintenance in support of contingency operations.

‘‘(B) The display prepared under subparagraph (A) shall include a list of all construction projects described in such subparagraph that were completed in the prior fiscal year, that are ongoing, or that are expected for the next five fiscal years, and shall identify for each project—

(1) the component of the Department of Defense involved in the project;

(2) the location of the project;

(3) a brief description of the purpose of the project; and

(4) the actual or estimated cost of the project.

(b) Report on Construction Projects in Support of Contingency Operations.—

(1) In general.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on ways to improve the development, funding, and execution of construction projects in support of contingency operations, including those funded with amounts appropriated or otherwise made available for operation and maintenance and those funded with amounts appropriated or otherwise made available for military construction.

(2) Elements.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) An examination and comparison of the time required to plan, approve, and execute construction projects with operation and maintenance amounts versus those funded with military construction amounts, in support of contingency operations, including construction projects in support of recent military operations in Afghanistan, Iraq, Syria, and Eastern Europe.

(B) A description of any challenges associated with the processes of the Department of Defense for planning, approving, and executing such projects.

(C) A description of any ongoing or planned efforts to improve such processes to promote efficiency and expediency in the development and execution of such projects.

(D) Any recommendations with respect to improving such processes to promote those from the commanders of the combatant commands and the Secretaries of the military departments.


Section 265(b) of title 10, United States Code, is amended by striking at the end the following new paragraph:

‘‘(5) A contract for the performance of on-site armed security guard functions to be performed—

(A) at the Marine Corps Heritage Center at Marine Corps Base Quantico, Virginia, in-
SEC. 377. COMMISSION ON THE NAMING OF ITEMS OF THE DEPARTMENT OF DEFENSE.

(a) REMOVAL.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall implement the plan submitted by the commission described in paragraph (b) and remove all names, symbols, displays, monuments, and paraphernalia that honor or commemorate the Confederate States of America (commonly referred to as the “Confederacy”) or any person who served voluntarily with the Confederate States of America from all assets of the Department of Defense.

(b) IN GENERAL.—The Secretary of Defense shall establish a commission relating to signing, modifying, or removing of names, symbols, displays, monuments, and paraphernalia that honor or commemorate the Confederate States of America (commonly referred to as the “Confederacy”) or any person who served voluntarily with the Confederate States of America from all assets of the Department of Defense.

(c) DUTIES.—The Commission shall—

(1) assess the cost of renaming or removing names, symbols, displays, monuments, or paraphernalia that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America;

(2) develop procedures and criteria to assess whether an existing name, symbol, monument, display, or paraphernalia commemorates the Confederate States of America or any person who served voluntarily with the Confederate States of America;

(3) recommend procedures for renaming assets of the Department of Defense to prevent commoration of the Confederate States of America or any person who served voluntarily with the Confederate States of America;

(4) develop a plan to remove names, symbols, displays, monuments, or paraphernalia that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America from assets of the Department of Defense, within the timeline established by this Act; and

(5) include in the plan procedures and criteria for collecting and incorporating local sensitivities associated with naming or renaming of assets of the Department of Defense.

(d) MEMBERSHIP.—The Commission shall be composed of eight members, of whom—

(1) four shall be appointed by the Secretary of Defense;

(2) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(3) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(4) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(5) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(e) APPOINTMENT.—Members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(f) INITIAL MEETING.—The Commission shall hold its initial meeting on the date that is 60 days after the enactment of this Act.

(g) BRIEFINGS AND REPORTS.—Not later than October 1, 2021, the Commission shall brief the Committees on Armed Services of the Senate and House of Representatives detailing the progress of the requirements under subsection (c) before October 1, 2022, and not later than 90 days before the implementation of the plan in subsection (c)(4), the Commission shall present a briefing and written report detailing the results of the requirements under subsection (c), including—

(1) A list of assets to be removed or renamed;

(2) Costs associated with the removal or renaming of assets in subsection (g)(1);

(3) Criteria and requirements used to nominate assets for removal in subsection (g)(1);

(4) Methods of collecting and incorporating local sensitivities associated with the removal or renaming of assets in subsection (g)(1);

(5) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 to carry out this section.

(2) OFFSET.—The amount authorized to be appropriated by the Act for fiscal year 2021 for Operations and Maintenance, Army, sub-account 620, for ship overhaul, the Secretary of the Navy—

(1) may treat the limitation specified in paragraph (1) of such section to be $10,000,000 rather than $4,000,000; and

(2) may treat the limitation specified in paragraph (2) of such section to be $30,000,000 rather than $15,000,000.

(h) EXEMPTION FOR GRAVE MARKERS.—Shall not cover monuments but shall exempt grave markers. Congress expects the commission to further define what constitutes a grave marker.

SEC. 378. MODIFICATIONS TO REVIEW OF PROPOSED ACTIONS BY MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE.

Section 153a(c)(2) of title 10, United States Code, is amended—

(1) by striking “If the Clearinghouse” and inserting “(A) If the Clearinghouse”;

and

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

“(B) After the Clearinghouse issues a notice under subparagraph (A) with respect to an energy project, the parties should seek to identify feasible and affordable means that can be taken by the Department, the developer of such energy project, or others to mitigate any adverse impact on military operations and readiness.”

“(C) If the Secretary determines within a reasonable period of time after the issuance of a notice under subparagraph (A) with respect to an energy project that the concerns identified in the preliminary review conducted under paragraph (1) with respect to such project have been mitigated to the extent that such project does not pose an unacceptable level of risk to military operations and readiness, the Clearinghouse shall timely issue a final decision to the applicant of such project, the governor of the State in which such project is located, and the Secretary of the Clearinghouse.”

SEC. 379. ADJUSTMENT IN AVAILABILITY OF APPROPRIATIONS FOR UNUSUAL COST OVERRUNS AND FOR CHANGES IN SCOPE OF WORK.

Section 8836 of title 10, United States Code, is amended by adding at the end the following subsection:

“Notwithstanding any other provision of law, the Department of the Army may exclude items of Operation and Maintenance, Army, Item 51, from the approved budget if the Secretary of the Army determines that the items are not essential to the mission of the Department of the Army or are in excess of the requirements of the Department of the Army.”

SEC. 380. REQUIREMENT THAT SECRETARY OF DEFENSE IMPLEMENT SECURITY AND EMERGENCY RESPONSE RECOMMENDATIONS RELATING TO ACTIVE SHOOTER OR TERRORIST ATTACKS ON CAMPUS.

Section 183a(c)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

“(2) by adding at the end the following new subparagraph:

“(B) The Secretary shall implement the applicable security and emergency response recommendations relating to active shooter or terrorist attacks on installations of the Department of Defense made in the following reports:


(2) The report prepared by the Department of the Navy relating to the Washington Navy Yard shooting in 2013.

(3) The report by the Department of the Army dated August 2010 entitled “Fort Hood, Army Internal Review Team: Final Report.”


(5) The report by the Department of the Air Force dated October 2010 entitled “Air
SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strength levels for active personnel as of September 30, 2021, as follows:

1. The Army, 450,000.
2. The Navy, 367,730.
3. The Marine Corps, 180,000.

SEC. 402. END STRENGTH LEVEL MATTERS.

(a) STRENGTH LEVELS TO SUPPORT TWO MAJOR REGIONAL CONTINGENCIES.—

(1) The Secretary of Defense may reduce under subsection (a) the following levels:

(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.
(6) The Air Force Reserve, 70,300.
(7) The Coast Guard Reserve, 7,000.
(8) 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.

(b) NOTIFICATION OF INAPPLICABLE RECOMMENDATIONS.—If the Secretary determines that a recommendation described in subsection (a) is outdated, is no longer applicable, or has been superseded by more recent separate or joint recommendations, the notification under paragraph (1) shall include an identification, set forth by report specified in subsection (a), of each recommendation that the Secretary determines should not be implemented, with a justification for each such determination.

SEC. 381. CLARIFICATION OF FOOD INGREDIENT REQUIREMENTS FOR FOOD OR BEVERAGES PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) In General.—If the Secretary determines that a recommendation described in subsection (a) is outdated, is no longer applicable, or has been superseded by more recent separate or joint recommendations, the notification under paragraph (1) shall include an identification, set forth by report specified in subsection (a), of each recommendation that the Secretary determines should not be implemented, with a justification for each such determination.

(b) Matters To Be Included.—The Secretary shall include in any notice published under subsection (a) the following:

(1) The date of the notice.
(2) Contact information for the appropriate office at the Department of Defense.
(3) A summary of the notice.
(4) A date for comments to be submitted and specific methods for submitting comments.

(c) Proportionate Reductions.—Any proportionate reductions of the end strength of a reserve component prescribed by subsection (a) 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.

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 numbers of Reservists to be on active duty in support of the Selected Reserve of the United States, 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, 15,511.
4. The Marine Corps Reserve, 2,386.
5. The Air National Guard of the United States, 25,333.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

(a) In General.—The authorized number of military technicians (dual status) as of the last day of fiscal year 2022 for the reserve components of the Army and the Air Force (notwithstanding section 229 of title 10, United States Code) shall be the following:

1. For the Army National Guard of the United States, 27,994.
2. For the Army Reserve, 19,082.
3. For the Air National Guard of the United States, 7,763.
4. For the Air Force Reserve, 2,386.

(b) LIMITATION.—Under no circumstances may a military technician (dual status) be employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual’s position.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

Within the end strengths prescribed in section 411(a), 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, 70,000.
2. The Army Reserve, 13,000.
3. The Navy Reserve, 6,200.
4. The Marine Corps Reserve, 3,000.
5. The Air National Guard of the United States, 16,000.
6. The Air Force Reserve, 14,000.

SEC. 415. SEPARATE AUTHORIZATION BY CONGRESS OF END STRENGTHS FOR NON-TEMPORARY MILITARY TECHNICIANS (DUAL STATUS) AND END STRENGTHS FOR TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).

(a) In General.—Section 533 of title 10, United States Code, is amended—

(1) in the first sentence, by striking “the end strength for military technicians (dual status)” and inserting “the minimum end strength for non-temporary military technicians (dual status) and the maximum end strength for temporary military technicians (dual status)”;

(b) by striking the item relating to section 533(b)(5) of title 10, United States Code, after such effective date.

Title V—Military Personnel Policy

Subtitle A—Officer Personnel Policy

SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AUTHORIZED STRENGTHS OF CERTAIN COMMISSIONED OFFICERS ON ACTIVE DUTY.

Effective as of October 1, 2021, the text of section 523 of title 10, United States Code, is amended to read as follows:

“The total number of commissioned officers serving on active duty in the Army, Air Force, or Marine Corps in each of the grades of lieutenant colonel, colonel, or general in each of the grades of lieutenant commander, commander, captain, or executive officer in the Navy in each of the grades of lieutenant commander, commander, or captain, at the end of any fiscal year shall be as specifically authorized by Act of Congress for such fiscal year.”

SEC. 502. TEMPORARY EXPANSION OF AVAILABILITY OF ENHANCED CONSTRUCTION SECTIONS FOR OFFICERS 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 commissioning courses shall be taken by Regular Officers who—

(i) have served in an operating or combat theater in a deployed military formation and in a capacity as designated by the Secretary of Defense;”

(b) REGULAR OFFICERS.—Subparagraph (D) of section 533(b)(1) of title 10, United States Code, is amended to read as follows:

“(D) Additional commissioning courses shall be taken by Regular Officers who—

(i) have served in an operating or combat theater in a deployed military formation and in a capacity as designated by the Secretary of Defense;”

Title VI—Military Compensation, Retirement, and Health Care

Subtitle A—Officer Compensation

SEC. 601. INSURANCE PROGRAMS OF THE UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The President shall—

(1) establish a life insurance program for the Regular Officers; and
(2) establish a program to provide health insurance benefits for Regular Officers and their dependents.

(b) TERMINATION.—The insurance programs established by subsection (a) shall terminate on December 31, 2021.
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 the military departments concerned shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the way in which the covered authorities have carried out the requirements of this section, the Secretary of the military department concerned shall include in such report the manner in which constructive credit service was calculated under each constructive credit authority. 

(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 Forces concerned.

(3) OTHER MATTERS.—Such other matters in connection with the constructive credit authorities as the Secretary of the military department concerned considers appropriate.

SEC. 502. REQUIREMENT FOR PROMOTION SELECTION BOARD RECOMMENDATION OF HIGHER PLACEMENT ON PROMOTION LIST OF OFFICERS OF PARTICULAR MERIT.

(a) IN GENERAL.—Section 616(g) of title 10, United States Code, is amended—

(1) in paragraph (1) by striking "may" and inserting "shall"; and

(2) by inserting before the period at the end of paragraph (2) "(A) The manner in which constructive service credit was calculated under each constructive credit authority."

SEC. 504. SPECIAL SELECTION REVIEW BOARDS FOR REVIEW OF PROMOTION OF OFFICERS SUBJECT TO ADVERSE INFORMATION OR RECOMMENDATION AFTER SELECTION.
shall submit to the Secretary of the military department concerned a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustenance and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

"(2) The provisions of sections 617(b) and 618 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 612 of this title.

"(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustenance of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with subsections (b) and (c) of section 624 of this title.

"(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

"(g) REGULATIONS.—(1) The Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall apply uniformly across the military departments.

"(2) Any regulation prescribed by the Secretary of a military department to supplement the regulations prescribed pursuant to paragraph (1) may not take effect without the approval of the Secretary of Defense, in writing.

"(h) PROMOTION BOARD DEFINED.—In this section, the term 'promotion board' means a selection board convened by the Secretaries of a military department under section 611(a) of this title.

"(2) CEREMONIAL AMENDMENT.—The table of sections following chapter 1407 of title 10, United States Code, is amended by inserting after that chapter the following new chapter:

"(2a) Special selection review boards.

"(3) PROMOTION.—Section 624(d) of this title shall be amended—

"(A) by striking paragraphs (1) and (2) and inserting the following:

"(1) Special selection review boards convened under this section shall compare such record and information with that recommended the promotion of the person subject to review under this section; and

"(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

"(4) If a person under subparagraph (A) does not indicate or disclose the person or persons for whom the special selection review board was convened, in considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board convened under this section shall not be convened unless the record and information described in this section to the special selection review board are the same as those furnished to the special selection review board for purposes of this section, the Secretary of the military department concerned shall ensure that—

"(i) such information is made available to the special selection review board; and

"(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

"(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(i) if—

"(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

"(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

"(3a) A person may waive either or both of the following:

"(I) the right to submit comments to a special selection review board under subparagraph (A)(i) if—

"(i) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(2) The furnishing of information to a special selection review board under subparagraph (A)(ii) if—

"(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(3) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall compare such record and information with that recommended the promotion of the person subject to review under this section; and

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall consider the following:

"(A) The record and information concerning the person furnished in accordance with section 14107(a)(2) of this title to the promotion board that recommended the person for promotion.

"(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion described in section 14107(a)(3)(A) of this title, that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by subsection (b) of this section and to which a special selection review board for purposes of paragraph (1) due to the classification status of the person as otherwise required by subparagraph (A)(ii) if—

"(i) subject to subparagraphs (C) and (D),

"(ii) the person submitted comments on such information to the special selection review board.

"(3) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

"(4a) A person may waive either or both of the following:

"(I) the right to submit comments to a special selection review board under subparagraph (A)(i) if—

"(i) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(2) The furnishing of information to a special selection review board under subparagraph (A)(ii) if—

"(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(3) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall compare such record and information with that recommended the promotion of the person subject to review under this section; and

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall consider the following:

"(A) The record and information concerning the person furnished in accordance with section 14107(a)(2) of this title to the promotion board that recommended the person for promotion.

"(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion described in section 14107(a)(3)(A) of this title, that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by subsection (b) of this section and to which a special selection review board for purposes of paragraph (1) due to the classification status of the person as otherwise required by subparagraph (A)(ii) if—

"(i) subject to subparagraphs (C) and (D),

"(ii) the person submitted comments on such information to the special selection review board.

"(3) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

"(4a) A person may waive either or both of the following:

"(I) the right to submit comments to a special selection review board under subparagraph (A)(i) if—

"(i) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(2) The furnishing of information to a special selection review board under subparagraph (A)(ii) if—

"(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(3) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall compare such record and information with that recommended the promotion of the person subject to review under this section; and

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, the special selection review board shall consider the following:

"(A) The record and information concerning the person furnished in accordance with section 14107(a)(2) of this title to the promotion board that recommended the person for promotion.

"(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion described in section 14107(a)(3)(A) of this title, that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by subsection (b) of this section and to which a special selection review board for purposes of paragraph (1) due to the classification status of the person as otherwise required by subparagraph (A)(ii) if—

"(i) subject to subparagraphs (C) and (D),

"(ii) the person submitted comments on such information to the special selection review board.

"(3) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

"(4) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

"(4a) A person may waive either or both of the following:

"(I) the right to submit comments to a special selection review board under subparagraph (A)(i) if—

"(i) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.

"(2) The furnishing of information to a special selection review board under subparagraph (A)(ii) if—

"(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a)(2) of this title; and

"(ii) the person submitted comments on such information to the special selection review board.
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“(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion under this title.

“(e) REPORTS.—(1) Each special selection review board convened under this section shall submit a written report to the department concerned a recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

“(2) The provisions of sections 14109(c), 14110, and 14111 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 1410(a) of this title.

“(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion of the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 14308 of this title.

“(2) A person who is appointed to the next higher grade of a person referred to in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the reserve active-status list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

“(g) The Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall apply uniformly across the military departments.

“(2) Any regulation prescribed by the Secretary of a military department to supplement the regulations prescribed pursuant to paragraph (1) may not take effect without the approval of the Secretary of Defense, in writing.

“(h) PROMOTION BOARD DEFINED.—In this section, the term ‘promotion board’ means a selection board convened by the Secretary of a military department under section 1410(a) of this title.

“(i) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1497 of this title is amended by inserting after the item relating to section 14502 the following new item:

“14502a. Special selection review boards.”.

“(3) DELAY IN PROMOTION.—Section 14311 of this title is amended—

“(A) in subsection (a)—

“(i) in paragraph (1), by adding at the end the following new subparagraph:

“(P) The Secretary of the military department concerned determines that credible information of adverse nature, including a substantiated adverse finding or conclusion described in section 14109(a)(3)(A) of this title, with respect to the officer will result in the convening of a special selection review board under section 14502a of this title to review the officer’s qualifications for the recommendation for promotion of the officer should be sustained.”; and

“(ii) by adding at the end the following new paragraph:

“(2) In the case of an officer whose promotion is delayed pursuant to paragraph (1)(F) and whose recommendation for promotion is sustained pursuant to subsection (a)(1)(F), the requirements applicable to notice and opportunity for response to such delay are specified in such subparagraph.”.

“(c) REQUIREMENTS FOR FURNISHING ADVERSE INFORMATION ON REGULAR OFFICERS TO PROMOTION SELECTION BOARDS.—

“(1) EXTRAMURAL OFFICERS TO SPACE FORCE REGULAR OFFICERS.—Subparagraph (B)(1) of section 615(a)(3) of title 10, United States Code, is amended by striking ‘‘or, in the case of the case of the Space Force, the equivalent grade, the requirements in subparagraphs (A) and (C) may be met through the convening and actions of a special selection review board with respect to an officer under section 628a of this title.

“(2) SATISFACTION OF REQUIREMENTS THROUGH SPECIAL SELECTION REVIEW BOARDS.—Such section is further amended by adding at the end the following new subparagraph:

“(D) With respect to the consideration of an officer for promotion to a grade at or below major general, in the case of the Navy, rear admiral, or, in the case of the Space Force, the equivalent grade, the requirements in subparagraphs (A) and (C) may be met through the convening and actions of a special selection review board with respect to an officer under section 628a of this title.

“(d) DELAYED APPLICABILITY OF REQUIREMENTS TO BOARDS FOR PROMOTION OF OFFICERS TO NON-GENERAL AND FLAG OFFICER GRADES.—Subsection (c) of section 502 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended to read as follows:

“(1) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall take effect on December 20, 2019, and shall, except as provided in paragraph (2), apply with respect to the proceedings of promotion selection boards convened under section 611(a) of title 10, United States Code, after that date.

“(2) DELAYED APPLICABILITY FOR BOARDS FOR PROMOTION TO NON-GENERAL AND FLAG OFFICER GRADES.—The amendments made by this section shall apply with respect to the proceedings of promotion selection boards convened under section 611a of title 10, United States Code, after January 1, 2021.

“(e) REQUIREMENTS FOR FURNISHING ADVERSE INFORMATION ON RESERVE OFFICERS TO PROMOTION SELECTION BOARDS.—Section 14107(a)(3) of title 10, United States Code, is amended by striking ‘‘or, in the case of the case of the Space Force, the equivalent grade, the requirements in subparagraphs (A) and (C) may be met through the convening and actions of a special selection review board with respect to an officer under section 628a of this title.

“(f) INAPPLICABILITY OF REQUIREMENT RELATING TO OPPORTUNITIES FOR PROMOTION.—Section 645(1)(A)(i)(I) of this title shall not apply to the promotion of officers described in subsection (a) to the extent that section is inconsistent with a number of opportunities for promotion specified pursuant to section 649d of this title.”.

“SEC. 506. MANDATORY RETIREMENT FOR AGE.

“(a) GENERAL RULE.—Subsection (a) of section 1251 of title 10, United States Code, is amended—

“(1) by inserting ‘‘Space Force,’’ after ‘‘or Marine Corps,’’; and

“(2) by inserting ‘‘or separated, as specified in subsection (e), after ‘‘shall be retired’’.

“(b) DEFERRED RETIREMENT OR SEPARATION OF HEALTH PROFESSIONS OFFICERS.—Subsection (b) of such section is amended—

“(1) in the subsection heading, by inserting ‘‘or separation’’ after ‘‘Retirement’’; and

“(2) in paragraph (1), by inserting ‘‘or separation’’ after ‘‘Retirement’’.

“(c) DEFERRED RETIREMENT OR SEPARATION OF OTHER OFFICERS.—Subsection (c) of such section is amended—

“(1) in the subsection heading, by striking ‘‘or chaplains’’ and inserting ‘‘or separation of other Officers’’;

“(2) by inserting ‘‘or separation’’ after ‘‘Retirement’’; and

“(3) by striking ‘‘an officer who is appointed or designated as a chaplain’’ and inserting ‘‘any officer other than a health professions officer described in subsection (b)(2)’’.

“(d) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Such section is further amended by adding at the end the following new section:

“(1) If the officer has at least 6 but fewer than 20 years of creditable service, the officer shall be separated, with separation pay computed under section 1174(d)(1) of this title.

“(2) If the officer has fewer than 6 years of creditable service, the officer shall be separated under subsection (a).”

“SEC. 507. CLARIFYING AND IMPROVING RESTATEMENT OF THE RULES ON THE RETIRED GRADE OF COMMISSIONED OFFICERS.

“(a) RESTATEMENT.—

“(1) IN GENERAL.—Chapter 69 of title 10, United States Code, is amended by striking section 1370 and inserting the following new sections:

“1370. Regular commissioned officers

“(1) RETIREMENT IN HIGHEST GRADE IN WHICH SERVED SATISFACTORILY.

“(1) IN GENERAL.—Unites entitled to a different retired grade under some other provision of law, a commissioned officer (other than a commissioned warrant officer) of the Army, Air Force, Marine Corps, or Space Force who retires under any provision of law other than chapter 61 or 1223 of this
title shall be retired in the highest permanent grade in which such officer is determined to have served on active duty satisfactorily.

(2) DETERMINATION OF SATISFACTORY SERVICE.—The determination of satisfactory service of an officer in a grade under paragraph (1) shall be made as follows:

(A) by the Secretary of the military department concerned, if the officer is serving in a grade at or below the grade of major general, rear admiral in the Navy, or the equivalent grade in the Space Force;

(B) by the Secretary of Defense, if the officer is serving in a grade above the grade of major general, rear admiral in the Navy, or the equivalent grade in the Space Force;

and

(3) EFFECT OF MISCONDUCT IN LOWER GRADE IN DETERMINATION.—If the Secretary of a military department or the Secretary of Defense, as applicable, determines that an officer committed misconduct in a grade lower than the retirement grade otherwise provided for the officer by this section—

(A) such Secretary may deem the officer to have not served satisfactorily in any grade equal to or higher than such lower grade for purposes of determining the retirement grade of the officer under this section; and

(B) the grade next lower to such lower grade shall be the retired grade of the officer under this section.

(4) WAIVER OF REQUIREMENTS FOR GENERAL, FLAG, AND EQUIVALENT OFFICER GRADES.—In the case of an officer in a grade above the grade of major general in the Army, Air Force, or Marine Corps, captain in the Navy, or an equivalent grade in the Space Force, the Secretary of Defense may, in paragraphs (1) and (2), reduce a grade pursuant to such paragraphs to a grade at or below the grade of major
colonel in the Army, Air Force, or the equivalent grade in the Space Force, the number equal to four percent of the authorized active-duty strength for that fiscal year for officers of that grade in the highest grade of the military department or the Secretary of Defense, as applicable, that such officer served on active duty satisfactory in such grade.

(5) NATURE OF RETIREMENT OF CERTAIN REMOVED OFFICERS AND OFFICERS IN TEMPORARY GRADES.—An officer, reserve officer, or an officer appointed to a position under section 661 of this title, who is notified that the officer will be released from active duty without the officer's consent and thereafter requests retirement under section 7311, 8323, or 9311 of this title that is a general or flag officer grade, or an equivalent grade in the Space Force, a commissioned officer of the Army, Navy, Air Force, Marine Corps, or Space Force must have served on active duty in that grade for a period of not less than three years, except that—

(A) subject to subsection (c), the Secretary of Defense may reduce such period to a period of not less than two years for any officer; and

(B) in the case of an officer to be retired in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, or an equivalent grade in the Space Force, a commissioned officer of the Army, Navy, Air Force, Marine Corps, or Space Force must have served on active duty in that grade for a period of not less than two years.

(2) LIMITATION ON DELEGATION.—The authority of the Secretary of Defense in subsection (a) of this section to reduce such period to a period of not less than two years may not be delegated.

(3) WAIVER OF REQUIREMENT.—Subject to subsection (c), the Secretary of Defense may waive the application of the service-in-grade requirement in paragraph (1) to officers covered by that paragraph in individual cases involving extreme hardship or exceptional or unusual circumstances. The authority of the President under this paragraph may not be delegated.

(4) LIMITATION ON REDUCTION OR WAIVER OF REQUIREMENT FOR OFFICERS UNDER INVESTIGATION OR PENDING MISCONDUCT.—In the case of an officer who is serving in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force, the Secretary of Defense may, subject to paragraph (1), reduce such officer to a grade in paragraphs (1) and (2) of paragraph (3) of section 7319 of title 10, if the Secretary of Defense certifies in writing to the President that the officer is serving on active duty satisfactory in such grade or equivalent grade in the Space Force, the number equal to four percent of the authorized active-duty strength for that fiscal year for officers of that grade in the highest grade of the military department concerned or the Secretary of Defense, as applicable.

(1) Officers in O-9 and O-10 Grades.—

(A) In the case of an officer in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, and an equivalent grade in the Space Force who is serving or has served in that grade on active duty of the officer pending completion of the investigation or resolution of the personnel action, as applicable;

(B) retire the officer in that grade;

and

(2) Officers in O-9 and O-10 Grades.—When an officer described by subsection (c)(1) is under investigation for alleged misconduct or pending the disposition of an adverse personnel action at the time of retirement, the Secretary of the military department concerned may—

(A) conditionally determine the highest permanent grade of satisfactory service on active duty of the officer pending completion of the investigation or resolution of the personnel action, as applicable; and

(B) retire the officer in that grade.

(3) REDUCTION OR WAIVER OF SERVICE-IN-GRADE REQUIREMENT PROHIBITED FOR GENERAL, FLAG, AND EQUIVALENT OFFICER GRADES.—In the case of an officer in a grade above the grade of major general in the Army, Air Force, or Marine Corps, captain in the Navy, or an equivalent grade in the Space Force, the service-in-grade requirement in subsection (b)(1) may not be reduced or waived.
(4) PROHIBITION ON DELEGATION.—The authority of the Secretary of a military department (as determined by subsection (a)(1) may not be delegated. The authority of the Secretary of Defense under paragraph (2) may not be delegated.

(e) FINAL RETIREMENT GRADE FOLLOWING RESOLUTION OF PENDING INVESTIGATION OR ADVERSE ACTION.—

(1) CHANGE FROM CONDITIONAL RETIREMENT GRADE.—If the resolution of an investigation or personnel action with respect to an officer who has been retired in a conditional retirement grade pursuant to subsection (d) results in a determination that the conditional retirement grade in which the officer was retired should be changed, the conditional retirement grade of the officer shall, subject to paragraph (3), be the final retired grade of the officer.

(2) CHANGE FROM CONDITIONAL RETIREMENT GRADE.—If the resolution of an investigation or personnel action with respect to an officer who has been retired in a conditional retirement grade pursuant to subsection (d) results in a determination that the conditional retirement grade in which the officer was retired will not be changed, the conditional retirement grade of the officer shall, subject to paragraph (3), be the final retired grade of the officer.

(f) APPLICABLE SECRETARY.—For purposes of this subsection, the applicable Secretary for purposes of determination or action specified in this subsection is—

(A) the Secretary of the military department concerned, in the case of an officer retired in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force, the requirements in subsection (c) shall apply in connection with the retirement of the officer in such final retirement grade.

(3) RECALCULATION OF RETIRED PAY.—

(A) IN GENERAL.—If the final retired grade of an officer is as a result of a change under paragraph (2), the retired pay of the officer under chapter 71 of this title shall be recalculated accordingly, with any modification of the retired pay of the officer to go into effect as of the date of the retirement of the officer.

(B) PAYMENT OF HIGHER AMOUNT FOR PERIOD OF CONDITIONAL RETIREMENT GRADE.—If the recalculation of the retired pay of an officer results in an increase in retired pay, the officer shall be paid an amount of increased retired pay equal to the amount of the increased retired pay exceeded the amount of retired pay paid the officer for retirement in the officer's conditional retirement grade during the period beginning on the date of the retirement of the officer in such conditional grade and ending on the effective date of the change of the officer's retired grade.

(4) NOTICE AND LIMITATION.—If a final determination of an officer's retired grade is reopened in accordance with paragraph (2), the applicable Secretary—

(A) shall notify the officer of the reopening; and

(B) may not make an adverse determination on the retired grade of the officer until the officer has had a reasonable opportunity to respond regarding the basis for the reopening of the officer's retired grade.

(5) ADDITIONAL NOTICE ON REOPENING FOR OFFICERS RETIRED IN O–9 AND O–10 GRADES.—In order to be credited with satisfactory service in an officer grade (other than warrant officer grade) below the grade of lieutenant colonel, or in a different grade, or to credit for satisfactory service in a different grade under some other provision of law, a person who is entitled to retired status on active duty, for not less than three years, shall be notified by the appropriate authority at the time of retirement.

(6) MARKING OF MAKING OF CHANGE.—If the retired grade of an officer is proposed to be changed through the reopening of the final determination of an officer's retired grade under this subsection, the change in grade shall be made—

(A) in the case of an officer whose retired grade is to be changed to a grade at or below the grade of major general in the Army, Air Force or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force, in accordance with subsections (a) and (b) of section 1370a of this title; or

(B) in the case of an officer whose retired grade is to be changed to the grade of lieutenant general or general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Space Force, in accordance with subsections (a) and (b) of section 1370a of this title.

(7) RECALCULATION OF RETIRED PAY.—If the final retired grade of an officer is as a result of a change under the requirements of a determination authorized by subsection (d) of section 1370a of this title shall be recalculated. Any modification of the retired pay of the officer as a result of the change shall go into effect on the effective date of the change of the officer's retired grade, and the officer shall not be entitled to or subject to any changed amount of retired pay for any period before the effective date of the change.

(8) HIGHEST PERMANENT GRADE DEFINED.—In this section, the term 'highest permanent grade' means a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force.
of such transfer or discharge the person (pursuant to section 12371b of this title or otherwise) meets the service requirements established by section 12731(a) of this title for eligibility under chapter 314 of title 32 or while serving in a position of adjutant general, the person has failed to complete three years of service in such grade, notwithstanding the failure of the person to complete three years of service in such grade.

(6) OFFICERS RECOMMENDED FOR PROMOTION SERVING IN CERTAIN GRADE BEFORE PROMOTION.—To the extent authorized by the Secretary of Defense, any person who has served in a position for which that grade is the minimum authorized grade may be recommended for promotion to a higher grade if the officer serves in that grade for the period for which the person served in that position while in the next lower grade. The period credited may not include periods before the appointment on which the Senate provides advice and consent for the appointment of that person in the recommended grade.

(7) OFFICERS QUALIFIED FOR FEDERAL RECOGNITION SERVING IN CERTAIN GRADE BEFORE APPOINTMENT.—To the extent authorized by the Secretary of the military department concerned, a person who, after having been found qualified for federal recognition in a higher grade by a board under section 307 of title 32, serves in a position for which that grade is the minimum authorized grade and is appointed as a reserve officer in that grade may be credited for the purposes of paragraph (1) as having served in that grade. The period credited under the preceding sentence may be only the period for which the person served in the position while in the next lower grade.

(8) RETIREMENT IN NEXT LOWEST GRADE FOR OFFICERS NOT MEETING SERVICE-IN-GRADE REQUIREMENTS.—(A) In section 1406(b)(2), by striking ''section 1370(d)'' and inserting ''section 1370a''...

(9) REQUIREMENTS IN CONNECTION WITH CERTIFICATION.—A certification with respect to an officer under paragraph (1) shall—

(A) be submitted by the Secretary of Defense such that it is received by the President and the Committees on Armed Services of the Senate and the House of Representatives;

(B) include an up-to-date copy of the military biography of the officer; and

(C) include the statement of the Secretary as to whether or not potentially adverse information was considered regarding the officer was considered by the Secretary in making the certification.

(4) CONSTRUCTION WITH OTHER NOTICE.—In the case of an officer under paragraph (1) who is eligible to be credited with service in a grade only by reason of the exercise of the authority in subsection (c) to reduce the three-year service-in-grade requirement under subsection (c)(1), the requirement for notification under subsection (c)(3)(D) is satisfied if the notification is included in the certification submitted by the Secretary of Defense under paragraph (1).

(c) Conditional Retirement Grade and Retirement for Evidentiary Admission for Misconduct or Pending Adverse Personnel Action. The retirement grade, and retirement, of a person covered by this section or the notification of discharge of a person for alleged misconduct or pending the disposition of an adverse personnel action at the time of retirement is as provided for by section 1370 of this title. In the application of such section 1370(d) for purposes of this subsection, any reference ‘active duty’ shall be deemed not to apply, and any reference to a non-regular service.’’.
In section 1407(c)(2)(B), by striking ‘‘by reason of denial of a determination or certification under section 1370’’ and inserting ‘‘pursuant to section 1370 or 1370a’’.

Section 1370a of title 10, United States Code, is amended—

(a) by redesignating subsection (g) as subsection (h); and

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

‘‘(g) EXCEPTIONS DURING PERIODS OF WAR OR NATIONAL EMERGENCY.—The limitations in subsections (c) and (f) shall not apply during a time of war or national emergency declared by Congress or the President.’’.

SEC. 518. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214) MATTERS.

(a) REDesignation as CERTIFICATE OF MILITARY SERVICE.—

(1) In general.—Department of Defense Form DD 214, the Certificate of Release or Discharge from Active Duty, is hereby redesignated as the Certificate of Military Service.

(2) Conforming Amendment.—Section 1168(a) of title 10, United States Code, is amended by striking ‘‘discharge certificate or certificate of release from active duty, respectively.’’ and inserting ‘‘Certificate of Military Service’’.

(3) References.—Any reference in a law, regulation, document, paper, or other record of the United States to Department of Defense Form DD 214, the Certificate of Release or Discharge from Active Duty, shall be deemed to be a reference to the Certificate of Military Service.

(4) Technical Amendments.—Such section 1168(a) is further amended—

(A) by striking ‘‘until his’’ and inserting ‘‘until the member’s’’;

(B) by striking ‘‘his final pay’’ and inserting ‘‘the member’s final pay’’;

(C) by striking ‘‘him or his next of kin’’ and inserting ‘‘the member or the member’s next of kin’’.

(5) Effective Dates.—

(A) In General.—Except as provided in subparagraph (B), this subsection and the amendments made by this subsection shall take effect on the date provided for in subsection (d) of section 559 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92), as redesignated by subsection (b)(1) of this section.

(B) Technical Amendments.—The amendments made by paragraph (4) of this subsection shall take effect on the date of the enactment of this Act.

(C) Additional Requirements.—

(1) In General.—Section 559 of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(A) in subsection (a), by—

(i) redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following new paragraph:

‘‘(1) redesignate such form as the Certificate of Military Service.’’;

(iii) by redesignating paragraph (2), as so redesignated, by striking ‘‘the member’s’’; and

(iv) by inserting after paragraph (2), as so redesignated, the following new paragraph:

‘‘(3) provide for a standard total force record of military service for all members of the Armed Forces, including member of the reserve components, that summarizes the record of service for each member; and

(B) by redesigning subsections (b) and (c) as subsections (d) and (e), respectively; and

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

‘‘(b) ISSUANCE TO RESERVES.—The Secretary of Defense shall provide for the

SEC. 517. TEMPORARY AUTHORITY TO ORDER RESERVED PERSONNEL TO ACT AS RESERVE PERSONNEL TO PROVIDE DURING TIMES OF WAR OR NATIONAL EMERGENCY.

Section 688(a) of title 10, United States Code, is amended—

(1) by redesigning subsection (g) as subsection (h); and

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

‘‘(g) Exceptions during periods of war or national emergency.—The limitations in subsections (c) and (f) shall not apply during a time of war or national emergency declared by Congress or the President.’’.

SEC. 511. EXCLUSION OF CERTAIN RESERVE GENERAL AND FLAG OFFICERS ON ACTIVE DUTY FROM LIMITATIONS ON APPOINTMENT TO REGULAR DUTY.

(a) Duty for Certain Reserve Officers Under Joint Duty Limited Exclusion.—

Subsection (b) of section 326a of title 10, United States Code, is amended by adding at the end the following new paragraph:

‘‘(3) Duty for certain reserve officers.—Of the officers designated pursuant to paragraph (1), the Chairman of the Joint Chiefs of Staff may designate up to 15 general and flag officer positions in the unified and specified commands, and up to three general and flag officer positions on the Joint Staff, as positions to be held only by reserve officers who are in a general or flag officer grade serving in the unified or joint service.''

(b) Reserve Officers on Active Duty for Training or for Less Than 180 Days.—Such section is further amended—

(1) by redesigning subsections (c) through (h) as subsections (d) through (i), respectively;

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

‘‘(c) Reserve Officers on Active Duty for Training or for Less Than 180 Days.—

The limitations in subsections (a) and (b) shall not apply to a reserve general or flag officer who—

(1) is on active duty for training; or

(2) is on active duty under a call or order specifying a period of less than 180 days.’’.

Subtitle C—General Service Authorities

SEC. 516. INCREASED ACCESS TO POTENTIAL RECRUITS.

(a) Secondary Schools.—Section 563(c)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ‘‘and’’ and inserting ‘‘and the member’’;

(B) in clause (ii), by striking ‘‘and telephone listings’’ and inserting ‘‘electronic mail addresses, home telephone numbers, and mobile telephone numbers’’;

(C) in clause (iii), by striking ‘‘and’’ at the end; and

(D) in clause (iv), by striking ‘‘and’’ at the end.

(2) in subparagraph (B)—

(A) in clause (i), by striking ‘‘and’’ and inserting ‘‘and the member’’;

(B) in clause (ii), by striking ‘‘and telephone listings’’ and inserting ‘‘electronic mail addresses, home telephone numbers, and mobile telephone numbers’’;

(C) in clause (iii), by striking ‘‘and’’ at the end; and

(D) in clause (iv), by striking ‘‘and’’ at the end.

(b) Institutions of Higher Education.—Section 983(b) of such title is amended—

(1) by redesignating subsections (c) through (i), as so redesignated, the following new paragraph:

‘‘(4) designated by clause (i), the following new paragraph:

‘‘(2) is on active duty for training; or

(3) is on active duty under a call or order specifying a period of less than 180 days.’’.

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

‘‘(3) Duty for Certain Reserve Officers.—

Of the officers designated pursuant to paragraph (1), the Chairman of the Joint Chiefs of Staff may designate up to 15 general and flag officer positions in the unified and specified commands, and up to three general and flag officer positions on the Joint Staff, as positions to be held only by reserve officers who are in a general or flag officer grade serving in the unified or joint service.’’.

(c) Redesignation as Certificate of Military Service.—

(1) In general.—Section 569 of the National Defense Authorization Act for Fiscal Year 2020 is amended by striking ‘‘discharge certificate or certificate of release from active duty, respectively’’ and inserting ‘‘Certificate of Military Service’’.

(2) Technical Amendments.—Such section 569 is further amended—

(A) by striking ‘‘until his’’ and inserting ‘‘until the member’s’’;

(B) by striking ‘‘his final pay’’ and inserting ‘‘the member’s final pay’’;

(C) by striking ‘‘him or his next of kin’’ and inserting ‘‘the member or the member’s next of kin’’.

(d) Effective Dates.—

(1) In General.—Except as provided in subparagraph (B), this subsection and the amendments made by this subsection shall take effect on the date provided for in subsection (d) of section 559 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92), as redesignated by subsection (b)(1) of this section.

(2) Technical Amendments.—The amendments made by paragraph (4) of this subsection shall take effect on the date of the enactment of this Act.

(3) Additional Requirements.—

(1) In General.—Section 559 of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(A) in subsection (a), by—

(i) redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following new paragraph:

‘‘(1) redesignate such form as the Certificate of Military Service.’’;

(iii) by redesignating paragraph (2), as so redesignated, by striking ‘‘the member’s’’; and

(iv) by inserting after paragraph (2), as so redesignated, the following new paragraph:

‘‘(3) provide for a standard total force record of military service for all members of the Armed Forces, including member of the reserve components, that summarizes the record of service for each member; and

(B) by redesigning subsections (b) and (c) as subsections (d) and (e), respectively; and

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

‘‘(b) Issuance to Reserves.—The Secretary of Defense shall provide for the
issuance of the Certificate of Military Service, as modified pursuant to subsection (a), to members of the reserve components of the Armed Forces at such times during their military service as is appropriate to facilitate their access to benefits under the laws administered by the Secretary of Veterans Affairs.

(c) COORDINATION.—In carrying out this section, the Secretary of Defense shall coordinate with the Secretary of Veterans Affairs to ensure that the Certificate of Military Service, as modified pursuant to subsection (a), is recognized as the Certificate of Military Service referred to in section 1168(a) of title 38, United States Code, for the purposes of establishing eligibility for applicable benefits under the laws administered by the Secretary of Veterans Affairs.

(D) No significant independent study has been performed by a federally funded research and development center.

(2) E LEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the current racial, ethnic, and sex composition of each Armed Force generally.

(B) A description of the duties and scope of the Advisory Committee.

(C) A description of the activities of the Advisory Committee.

(D) An estimate of the annual operating costs and staff years of the Advisory Committee.

(E) Any subcommittees, established or proposed, that would support the Advisory Committee.

(F) Such recommendations for legislative or administrative action as the Secretary considers appropriate to extend the term of the Advisory Committee beyond the proposed termination date of the Advisory Committee.

(G) Any subcommittees, established or proposed, that would support the Advisory Committee.

(H) A description of the resources used by the Advisory Committee.

(SEC. 519. EVALUATION OF BARRIERS TO MINORITY PARTICIPATION IN CERTAIN UNITS OF THE ARMED FORCES.

(A) Findings.—Congress makes the following findings:

(1) In 1999, the RAND Corporation issued a report entitled ‘‘Barriers to Minority Participation in Special Operations Forces’’ that was sponsored by United States Special Operations Command.

(2) In 2018, the RAND Corporation issued a report entitled ‘‘Understanding Demographic Differences in Undergraduate Pilot Training Attrition’’ that was sponsored by the Air Force.

(3) No significant independent study has been performed by a federally funded research and development center into increasing minority participation in the special operations forces since such.

(B) Study Required.—

(1) In General.—Not later than 30 days after the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, seek to enter into an agreement with a federally funded research and development center.

(2) Elements.—The evaluation under paragraph (1) shall include the following:

(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 the 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 Forces of that covered unit.

(D) An identification of barriers to minority participation in the accession, assessment, and training processes.

(E) The status and effectiveness of the response to the recommendations contained in the report referred to in subsection (a)(1) and any follow-up recommendations.

(F) A report to increase the numbers of minority officers in the Armed Forces.

(SEC. 520. REPORTS ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.

(A) Report on Findings of Defense Board on Diversity and Inclusion in the Military.—

(1) In General.—Upon the completion of the Defense Board on Diversity and Inclusion in the Military, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report setting forth an implementation plan for the recommendations of the Defense Board.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A comprehensive description of the findings and recommendations of the Defense Board.

(B) A description of any action taken to increase minority participation in the Armed Forces.

(C) A description of the actions proposed to be undertaken by the Secretary in connection with such recommendations, and a timeline for implementation of such actions.

(SEC. 521. Reports on Diversity and Inclusion in the Armed Forces.

(A) Report on Defense Advisory Committee on Diversity and Inclusion in the Armed Forces.—

(1) In General.—At the same time the Secretary submits the report required by subsection (a), the Secretary shall also submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the Defense Advisory Committee on Diversity and Inclusion in the Armed Forces.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) The mission statement or purpose of the Advisory Committee.

(B) A retired general or flag officer from the Armed Forces.

(C) Any subcommittees, established or proposed, that would support the Advisory Committee.

(D) An estimate of the annual operating costs and staff years of the Advisory Committee.

(E) Any subcommittees, established or proposed, that would support the Advisory Committee.

(F) The comparison of the participation rates of minority populations in officer grades, warrant officer grades, and enlisted member grades as described in the report referred to in paragraph (1).

(G) An estimate of the number of minority populations in each enlisted grade above grade E–6.

(SEC. 522. Sergeant of Senate on Defense Advisory Committee on Diversity and Inclusion in the Armed Forces.—It is the sense of the Senate that the Sergeant of the Senate and any subcommittees, established or proposed, that would support the Advisory Committee.

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(H) an member of the academic community with expertise in diversity studies; and

(I) an individual with appropriate expertise in diversity and inclusion;

(2) (b) (1) (i) Individuals from a variety of military career paths, including—
   (A) aviation;
   (B) special operations;
   (C) intelligence;
   (D) cyber;
   (E) space; and
   (F) surface warfare;

(3) should have a membership such that no fewer than 20 percent of members possess—

(A) a firm understanding of the role of mentorship and best practices in finding and utilizing mentors;

(B) experience and expertise in change of culture of large organizations; or

(C) experience and expertise in implementation science; and

(4) should focus on objectives that address—

(A) barriers to promotion within the Armed Forces, including development of recommendations on mechanisms to enhance and increase racial diversity and ensure equal opportunity across all grades in the Armed Forces;

(B) participation of minority officers and senior noncommissioned officers in the Armed Forces, including development of recommendations on mechanisms to enhance and increase such participation;

(C) recruitment of minority candidates for innovative programs in the Junior Reserve Officers' Training Corps (JROTC), Senior Reserve Officers' Training Corps (SROTC), and military service academies, including programs in connection with flight instruction, special operations, and national security, including development of recommendations on mechanisms to enhance and increase such participation;

(D) retention of minority individuals in senior leadership and mentorship positions in the Armed Forces, including development of recommendations on mechanisms to enhance and increase such retention; and

(E) achievement of cultural and ethnic diversity in recruitment for the Armed Forces, including development of recommendations on mechanisms to enhance and increase such diversity in recruitment.

Subtitle D—Military Justice and Related Matters

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

SEC. 521. MODIFICATION OF TIME REQUIRED FOR EXPEDITED DECISIONS IN CONNECTION WITH APPLICATIONS FOR CHANGE OF STATION OR UNIT TRANSFER OF MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT OR RELATED OFFENSES.

(a) In General.—Section 673(b) of title 10, United States Code, is amended by striking “72 hours” both places it appears and inserting “five calendar days”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to decisions on applications for permanent change of station or unit transfer made under section 673 of title 10, United States Code, on or after that date.

SEC. 522. DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

Section 500B of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) (A) (i) by inserting “including the United States Coast Guard Academy,” after “academy”;

(2) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

(3) by inserting after subsection (c) the following:

“(d) ADVISORY DUTIES ON COAST GUARD ACADEMY.—In providing advice under subsection (c)(1)(B), the Advisory Committee shall also advise the Department in which the Coast Guard is operating in accordance with this section on policies, programs, and practices of the United States Coast Guard, and

(4) in subsection (e) and paragraph (2) of subsection (g), as redesignated by paragraph (2) of this section, by striking “the Committees on Armed Services” and inserting “the House of Representatives”;

SEC. 523. REPORT ON ABILITY OF SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT PREVENTION AND RESPONSE VICTIM ADVOCATES TO PERFORM DUTIES.

(a) SURVEY.—

(1) IN GENERAL.—Not later than June 30, 2021, the Secretary of Defense shall conduct a survey regarding the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform their duties.

(2) ELEMENTS.—The survey required under paragraph (1) shall assess—

(A) the current state of support provided to Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates, including—

(i) perceived professional or other reprisal or retaliation;

(ii) access to sufficient physical and mental health services as a result of the nature of their work;

(B) the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to contact and access their installation commander or unit commander;

(C) the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to contact and access the immediate commander of victims and alleged offenders;

(D) the responsiveness and receptiveness of commanders to the Sexual Assault Response Coordinators;

(E) the support and services provided to victims of sexual assault;

(F) the understanding of others of the processes and their willingness to assist;

(G) the adequacy of the training received by Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to effectively perform their duties; and

(H) any other factors affecting the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform their duties.

(b) REPORT.—Upon completion of the survey required under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the survey and any actions to be taken as a result of the survey.

SEC. 524. BRIEFING ON SPECIAL VICTIMS’ COUNSEL.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Judge Advocates General of the Armed Forces shall brief the Secretary of Defense, the Chief of the Coast Guard, and the Staff Judge Advocate to the Commandant of the Marine Corps shall each provide to the congressional defense committees a briefing on the status of the Special Victims’ Counsel program of the Armed Force concerned.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the Special Victims’ Counsel program of the Armed Force concerned, the following:

(1) An assessment of whether the Armed Force is in compliance with the provisions of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) relating to the Special Victims Counsel program and, if not, what steps have been taken to achieve compliance with such provisions.

(2) An estimate of the average caseload of each Special Victims’ Counsel.

(3) A description of any staffing shortfalls in the Special Victims’ Counsel program or other programs of the Armed Force resulting from the additional responsibilities required of the Special Victims’ Counsel program under the National Defense Authorization Act for Fiscal Year 2020.

(4) An explanation of the ability of Special Victims’ Counsel to adhere to requirement that a counsel respond to a request for services within 72 hours of receiving such request.

(5) An assessment of the feasibility of providing cross-service Special Victims’ Counsel representation in instances where a Special Victims’ Counsel of one Armed Force is co-located with a victim at a remote base.

SEC. 525. ACCOUNTABILITY OF LEADERSHIP OF THE DEPARTMENT OF DEFENSE FOR DISCHARGING THE SEXUAL HARASSMENT POLICIES AND PROGRAMS OF THE DEPARTMENT.

(a) STRATEGY ON HOLDING LEADERSHIP ACCOUNTABLE REQUIRED.—The Secretary of Defense shall develop and implement Department-wide a strategy to hold individuals in positions of leadership in the Department (including members of the Armed Forces and civilians) accountable for the promotion, support, and enforcement of the policies and programs of the Department on sexual harassment.

(b) OVERSIGHT FRAMEWORK.—

(1) IN GENERAL.—The strategy required by subsection (a) shall provide for an oversight framework for the efforts of the Department of Defense to promote, support, and enforce the policies and programs of the Department on sexual harassment.

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

(A) Long-term goals, objectives, and milestones in connection with the policies and programs of the Department on sexual harassment.

(B) Strategies to achieve the goals, objectives, and milestones referred to in subparagraph (A).

(C) Criteria for assessing progress toward the implementation of the goals, objectives, and milestones referred to in subparagraph (A).

(D) Criteria for assessing the effectiveness of the policies and programs of the Department on sexual harassment.

(E) Mechanisms to ensure that adequate resources are available to the Office to develop and discharge the oversight framework.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the actions taken to carry out this section, including the strategy developed and implemented, the oversight framework developed and implemented pursuant to subsection (b).
SEC. 526. SAFE-TO-REPORT POLICY APPLICABLE ACROSS THE ARMED FORCES.
(a) In General.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, prescribe in regulations a safe-to-report policy described in subsection (b) that applies with respect to all members of the Armed Forces (including members of the reserve components of the Armed Forces) and cadets and midshipmen at the military service academies.

(b) Policy.—The safe-to-report policy described in this subsection is a policy that prescribes the handling of minor collateral misconduct involving a member of the Armed Forces who is the alleged victim of sexual assault.

(c) Aggravating Circumstances.—The regulations under subsection (a) shall specify aggravating circumstances that increase the gravity of minor collateral misconduct or its impact on good order and discipline for purposes of the safe-to-report policy.

(d) Tracking of Collateral Misconduct Incidents.—In conjunction with the issuance of regulations under subsection (a), Secretary shall develop and implement a process to track minor collateral misconduct that are subject to the safe-to-report policy.

(e) Definitions.—In this section:
(1) the term ‘‘Armed Forces’’ has the meaning given that term in section 101(a)(4) of title 10, United States Code, except such term does not include the Coast Guard.
(2) The term ‘‘military service academy’’ means the following:
(A) The United States Military Academy.
(B) The United States Naval Academy.
(C) The United States Air Force Academy.
(3) The term ‘‘minor collateral misconduct’’ means any minor misconduct that is potentially punishable under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that—
(A) is committed close in time to or during the sexual assault, and directly related to the incident that formed the basis of the sexual assault allegation;
(B) is discovered as a direct result of the report of sexual assault or the ensuing investigation into the sexual assault; and
(C) does not involve aggravating circumstances (as specified in the regulations prescribed under subsection (a)) that increase the gravity of the minor misconduct or its impact on good order and discipline.

SEC. 527. ADDITIONAL BASES FOR PROVISION OF ADVISEMENT 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 subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and
(2) by inserting after subparagraph (C) the following new subparagraph (D):
‘‘(D) ensure that the committee—
(1) is composed of at least one female member and one male member;
(2) has an equal number of military and noncommissioned officer grades;
(3) includes at least one member who is an authorized sexual assault response coordinator; and
(4) includes at least one member who is an authorized sexual assault response coordinator.

SEC. 528. ADDITIONAL MATTERS FOR REPORTS OF THE DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.
Section 550B(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following: ‘‘The report shall include the following:
(1) A description and assessment of the extent and frequency of the involvement by the Armed Forces of sexual assault prevention and response training in leader professional military education (PME), especially in such education for personnel in junior noncommissioned officer grades.
(2) An assessment of the feasibility of—
(A) the Armed Forces implementing before entry into military service for prior incidents of sexual assault and harassment, including through background checks; and
(B) the Armed Forces conducting tests to assess recruit views and beliefs on equal opportunity, and whether such views and beliefs are compatible with military service.
(3) An assessment of the feasibility of conducting exit interviews of members of the Armed Forces upon their discharge release from the Armed Forces, in order to determine whether they experienced or witnessed sexual assault or harassment during military service and did not report it, and an assessment of the feasibility of combining such exit interviews with the Catch a Serial Offender (CATCH) Program of the Department of Defense.
(4) An assessment whether the sexual assault reporting databases of the Department are sufficiently anonymized to ensure privacy while still providing military leaders with the information; and
(a) The approximate length of time the victim and the assailant had been at the duty station at which the sexual assault occurred.
(b) The percentage of sexual assaults occurred while the victim or assailant were on temporary duty, leave, or otherwise away from their permanent duty station.
(c) The number of sexual assaults that involve an abuse of power by a commander or supervisor.’’

SEC. 529. POLICY ON SEPARATION OF VICTIM FROM MILITARY SERVICE ACADEMIES AND DEGREE-GRANTING MILITARY EDUCATIONAL INSTITUTIONS.
(a) In General.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, the Superintendent of each military service academy, and the head of each degree-granting military educational institution, prescribe in regulations a policy under which—
(1) The United States Military Academy.
(2) The United States Naval Academy.
(3) The United States Air Force Academy.
(4) The United States Coast Guard Academy.
(b) The term ‘‘military service academy’’ means the following:
(1) The United States Military Academy.
(2) The United States Naval Academy.
(3) The United States Air Force Academy.
(4) The United States Coast Guard Academy.
“(B) A Judge Advocate General may waive the requirement in subparagraph (A) in connection with the assignment of an officer or civilian as an appellate military judge of a Court of Criminal Appeals if the Judge Advocate General determines that compliance with the requirement in the assignment of appellate military judges to a Court of Criminal Appeals is not feasible. The Judge Advocate General shall notify the congressional defense committees of the waiver, and include with the notification for the shortage of appellate military judges and a plan for addressing such shortage."

(c) REVIEW BY FULL COURT OF FINDING OF CONVICTION AGAINST WEIGHT OF EVIDENCE.—Subsection (e) of such section (article), as amended by subsection (a) of this section, is further amended by adding at the end the following new paragraph:

“(5) The recipient of training developed under subsection (a) shall include the following at all levels of command:

(A) Commanders

(B) Chaplains.

(C) Judge advocates.

(2) Such other members of the Armed Forces as the Secretary considers appropriate.

(3) The provision of training developed under subsection (a) shall commence not later than one year after the date of the enactment of this Act.

SEC. 542. ADDITIONAL ELEMENTS WITH 2021 CERTIFICATE ON RELIGIOUS ACCOMMODATIONS, ELIGIBILITY GUIDELINES, AND BEST PRACTICES.

(a) ADDITIONAL ELEMENTS.—In submitting to Congress in 2021 the certifications required by sections 1004 and 1005 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115–91; 131 Stat. 1396; 10 U.S.C. 8431 note prec.), relating to the Ready, Relevant Learning initiative, the Secretary of the Navy shall incorporate the following:

(1) Training and training support.

(2) Support equipment.

(3) Manpower and personnel.

(4) Facilities and infrastructure.

(5) Sustainment engineering.

(6) Such other matters in connection with the implementation of such program for vicarious trauma to such personnel as the Judge Advocates General and the Staff Judge Advocate jointly consider appropriate.

(7) Training on Federal statutes, Department of Defense regulations of each Armed Force regarding military justice, and Title 10, United States Code, relating to the Ready, Relevant Learning initiative.

(b) LIFECYCLE SUSTAINMENT PLAN.—The Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report, in writing, on a study conducted by the Chief of Staff of the Armed Forces on the life cycle sustainment plan for the Ready, Relevant Learning initiative meeting the requirements in subsection (a).

(1) The recipients of training developed under subsection (a) shall include the following:

(A) Commanders

(B) Chaplains.

(C) Judge advocates.

(2) Such other members of the Armed Forces as the Secretary considers appropriate.

(3) The provision of training developed under subsection (a) shall commence not later than one year after the date of the enactment of this Act.

SEC. 543. BRIEFING ON MENTAL HEALTH SUPPORT FOR VICARIOUS TRAUMA FOR CERTAIN PERSONNEL IN THE MILITARY JUSTICE SYSTEM.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Judge Advocates General of the Army, the Navy, and the Air Force and the Staff Judge Advocate to the Commandant of the Marine Corps shall jointly brief the Committees on Armed Services of the Senate and the House of Representatives on the mental health support for vicarious trauma provided to personnel in the military justice system specified in subsection (b).

(b) PERSONNEL.—The personnel specified in this subsection are the following:

(1) Trial counsel.

(2) Defense counsel.

(3) Special Victims’ Counsel.

(4) Military investigative personnel.

(5) Judges.

(6) Judge Advocates.

(c) ELEMENTS.—The briefing required by subsection (a) shall include the following:

(1) A description and assessment of the mental health support for vicarious trauma provided to personnel in the military justice system specified in subsection (b), including a description of the support services available and the support services being used.

(2) A description and assessment of mechanisms to eliminate or reduce stigma in the pursuit by such personnel of such mental health support.

(3) An assessment of the feasibility and advisability of providing such personnel with breaks between assignments or cases as part of such mental health support in order to reduce the effects of vicarious trauma.

(4) A description and assessment of the extent, if any, to which duty of such personnel on particular types of cases, or in particular caseloads, contributes to vicarious trauma, and of the extent, if any, to which duty on such cases or caseloads has an effect on retention of such personnel in the Armed Forces.

(5) A description of the extent, if any, to which such personnel are screened or otherwise assessed for trauma before discharge or release from the Armed Forces.

(6) Such other matters in connection with the provision of mental health support for vicarious trauma to such personnel as the Judge Advocates General and the Staff Judge Advocate jointly consider appropriate.

SEC. 544. GUARDIAN AD LITEM PROGRAM FOR VICARIOUS TRAUMA OF MEMBERS OF THE ARMED FORCES.

(a) RECIPIENTS.—The recipients of training specified in subsection (c) shall be consistent with and include coverage for the implementation of such recommendation or requirement, as described in subsection (b). The Department of Defense shall provide the congressional defense committees referred to in subsection (a) one or more briefings on the status of the study required by subsection (c), including any preliminary findings and recommendations of the Comptroller General as a result of the study of the date of such briefing.

(b) CONSULTATION.—The Secretary shall develop and implement the training required by subsection (a) in consultation with the following:

(1) The General Counsel of the Department of Defense.

(2) The Judge Advocate General of the Army, the Judge Advocate General of the Navy, and the Judge Advocate General of the Air Force.

(3) The Chief of Chaplains of the Army, the Chief of Chaplains of the Navy, and the Chief of Chaplains of the Air Force.

(c) CONTENTS.—The content of the training shall be consistent with and include coverage of each of the following:


(d) IMPLEMENTATION.—

(1) RECIPIENTS.—The recipients of training developed under subsection (a) shall include the following at all levels of command:

(A) Commanders

(B) Chaplains.

(C) Judge advocates.

(2) Such other members of the Armed Forces as the Secretary considers appropriate.

(3) The provision of training developed under subsection (a) shall commence not later than one year after the date of the enactment of this Act.
SEC. 543. REPORT ON USE OF READINESS ASSESSMENT TEAMS.—The report required by subsection (a)(2) shall set forth the following:

(1) A description and assessment of the extent to which the Secretary is currently conducting Engineering Readiness Assessment Teams (ERAT) and Combat Systems Readiness Assessment Teams (CSRAT) to conduct unit- and combat-training assessments.

(2) A description and assessment of the extent to which the Secretary is currently conducting field and operational training in order to assess the capacity of the Armed Forces and other Department law enforcement components to support law enforcement training of the National Guard and other reserve components of the Armed Forces, or both such components.

(3) A description and assessment of the extent to which the Secretary is currently conducting field and operational training that the online portal is feasible and advisable, the report shall include:

(A) A comprehensive description of the online portal; and

(B) such recommendations for legislative and administrative action as the Secretary considers appropriate to establish and maintain the online portal.

SEC. 544. QUARTERLY REPORTS ON IMPLEMENTATION OF THE COMPREHENSIVE REVIEW OF SPECIAL OPERATIONS FORCES CULTURE AND ETHICS.—

(a) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter through March 1, 2024, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of the actions recommended as a result of the Comprehensive Review of Special Operations Forces Culture and Ethics.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) A list of the actions recommended by the Secretary for purposes of the online portal required by paragraph (1) shall be consistent with the standards 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.

(2) Consistency with OMB guidance.—The standards classifications established under paragraph (1) shall be consistent with the standards classifications specified in Office of Management and Budget Directive No. 15 (as amended) or other Federal standards.

SEC. 545. INFORMATION ON NOMINATIONS AND APPLICATIONS FOR MILITARY SERVICE ICE ACADEMIES.—

(a) REPORT ON CONGRESSIONAL NOMINATIONS PORTAL.—In general.—Not later than one year after the date of the enactment of this Act, the Secretary shall, in consultation with the Superintendents of the military service academies, establish standard classifications that cadets, midshipmen, and applicants to the academies may use to self-identify gender, race, and ethnicity and to provide other demographic information in connection with admission to or enrollment in an academy.

(b) DURATION.—The duration of each pilot program as follows:

(1) A pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of mechanisms to reduce barriers to participation in the Senior Reserve Officers’ Training Corps at covered institutions in five years.

(2) A pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of the provisions of financial assistance to the Senior Reserve Officers’ Training Corps at covered institutions in five years.

(c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN MILITARY SERVICE ACADEMIES AND OTHER INSTITUTIONS.——

(1) General.—Not later than one year after the date of the enactment of this Act, the Secretary shall, in consultation with the Superintendents of the military service academies, establish standard classifications that cadets, midshipmen, and applicants to the academies may use to self-identify gender, race, and ethnicity and to provide other demographic information in connection with admission to or enrollment in an academy.

(2) CONSISTENCY WITH OMB GUIDANCE.—The standards classifications established under paragraph (1) shall be consistent with the standards classifications specified in Office of Management and Budget Directive No. 15 (as amended) or other Federal standards.

SEC. 546. PILOT PROGRAMS IN CONNECTION WITH SENIOR RESERVE OFFICERS’ TRAINING CORPS UNITS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.—

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of Defense may carry out either of both of the pilot programs as follows:

(1) A pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of mechanisms to reduce barriers to participation in the Senior Reserve Officers’ Training Corps at covered institutions in five years.

(2) A pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of the provisions of financial assistance to the Senior Reserve Officers’ Training Corps at covered institutions in five years.
for purposes of the pilot program authorized by subsection (a)(1) shall—
(A) currently maintain a satellite or extension Senior Reserve Officers’ Training Corps unit or, in the case of 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).

(2) PREFERENCE IN SELECTION OF INSTITUTIONS.—The Secretary shall give preference to covered institutions under this subsection for participation in the pilot program authorized by subsection (a)(1) 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.

(3) PARTNERSHIP ACTIVITIES.—The activities conducted under the pilot program authorized by subsection (a)(1) between a satellite or extension Senior Reserve Officers’ Training Corps unit and the military installation concerned shall include such activities designed to reduce barriers to participation in the Senior Reserve Officers’ Training Corps at the covered institution concerned as the Secretary considers appropriate, including measures to mitigate travel time and expenses in connection with receipt of Senior Reserve Officers’ Training Corps instruction.

(4) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR SROTC MEMBERS FOR FLIGHT TRAINING.—

(1) ELIGIBILITY FOR PARTICIPATION BY SROTC MEMBERS.—A member of a Senior Reserve Officers’ Training Corps unit at a covered institution who participates in the pilot program authorized by subsection (a)(2) if the member meets such academic requirements at the covered institution, and such other requirements, as the Secretary shall establish for purposes of the pilot program.

(2) PREFERENCE IN SELECTION OF PARTICIPANTS.—In selecting members under this subsection for participation in the pilot program authorized by subsection (a)(2), the Secretary shall give a preference to members who will pursue flight training under the pilot program at a covered institution.

(3) FINANCIAL ASSISTANCE FOR FLIGHT TRAINING.—
(A) IN GENERAL.—The Secretary may provide financial assistance to defray 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 Department of Defense Administration standards and is approved by the Federal Aviation Administration and the applicable State approving agency.
(C) FINANCIAL ASSISTANCE RECEIVED BY A MEMBER.—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) CESSION OF ELIGIBILITY.—Financial assistance may not be provided to a member under subparagraph (A) as follows:
(i) If the member ceases to meet the academic and other requirements established pursuant to paragraph (1).
(ii) If the member ceases to be a member of the Senior Reserve Officers’ Training Corps.

(E) EVALUATION METRICS.—The Secretary of Defense shall establish metrics to evaluate the effectiveness of the pilot programs under subsection (a).

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the commencement of the pilot programs under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs. The report shall include the following:
(A) A description of each pilot program, including in the case of the pilot program under subsection (a)(2) the requirements established pursuant to subsection (d)(1).
(B) The evaluation metrics established under subsection (e).
(C) Such other matters relating to the pilot programs as the Secretary considers appropriate.

(2) ANNUAL REPORT.—Not later than 90 days after the end of each fiscal year in which the Secretary carries out the pilot programs, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:
(A) In the case of the pilot program under subsection (a)(1), a description of the partnership between the Senior Reserve Officers’ Training Corps units and military installations under the pilot program.
(B) In the case of the pilot program under subsection (a)(2), the following:
(i) The number of members of Senior Reserve Officers’ Training Corps units at covered institutions selected for purposes of the pilot program, including the number of such members participating in the pilot program.
(ii) The number of recipients of financial assistance provided under the pilot program, including the number who—
(I) completed a ground school course of instruction in connection with obtaining a private pilot’s certificate;
(II) completed flight training, and the type of training certificate, or both received;
(III) were selected for a pilot training slot in the Armed Forces;
(iv) initiated pilot training in the Armed Forces;
(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 matters 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 to the extent of making the Secretary considers appropriate light of the pilot programs, including recommendations for extending or making permanent the authority for each pilot program.

(E) DEFINITIONS.—In this section:
(I) 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).
(II) 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-pilot’s certificate.
(E) A flight instrument rating.
(F) Any other certificate, rating, or pilot privilege the Secretary considers appropriate for purposes of this section.

(3) The term “military installation” means an installation of the Department of Defense for the regular components of the Armed Forces.

SEC. 547. EXPANSION OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.

(a) EXPANSION OF JROTC CURRICULUM.—
Section 2031(a)(2) of title 10, United States Code, is amended by inserting after “service to the United States” the following: “including an introduction to service opportunities in military, national, and public services.”

(b) PLAN TO INCREASE NUMBER OF JROTC UNITS.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, develop and implement a plan to establish not fewer than 6,000 units of the Junior Reserve Officers’ Training Corps by September 30, 2031.

SEC. 548. DEPARTMENT OF DEFENSE STARBASE PROGRAM.

Section 2193(b) of title 10, United States Code, is amended by inserting “the Commonwealth of the Northern Mariana Islands, American Samoa,” before “and Guam”.

Subtitle F—Decorations and Awards

SEC. 551. AWARD OR PRESENTATION OF DECORATIONS FAVORABLY RECOMMENDED FOLLOWING DETERMINATION ON MERITS OF PROPOSALS FOR DECORATIONS SUBMITTED IN A TIMELY FASHION.

(a) AWARD OR PRESENTATION AUTHORIZED.—
Section 1130 of title 10, United States Code, is amended—
(1) by redesignating subsection (d) as subsection (e); and
(2) by inserting after subsection (c) the following new subsection (d):

“(d)(1) A decoration may be awarded or presented following the submission of a favorable recommendation for the award or presentation of the decoration under subsection (b).

“(2) An award or presentation of a decoration under paragraph (1) may not occur before the end of the 60-day period beginning on the date of the submission under subsection (b) of the favorable recommendation regarding the award or presentation of the decoration.

“(3) The authority to make an award or presentation of a decoration under this subsection shall apply notwithstanding any limitation described in subsection (a).”,

(b) CONFORMING AND CLERICAL AMENDMENTS.

(1) SECTION HEADING.—The heading of section 1130 of such title is amended to read as follows:

“1130. Consideration of proposals for decorations not previously submitted in a timely fashion: procedures for review and award or presentation.”

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 57 of such title is amended by striking the item relating to section 1130 and inserting the following new item:

"1130. Consideration of proposals for decorations not previously submitted in a timely fashion: procedures for review and award or presentation."
“1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review and award or presentation

SEC. 552. HONORARY PROMOTION MATTERS.

(a) HONORARY PROMOTIONS ON INITIATIVE OF DoD.—Chapter 80 of title 10, United States Code, is amended, by striking after section 1563 the following new section:

§ 1563a. Consideration of proposals from Members of Congress for honorary promotions: procedures for review and promotion.

(b) MODIFICATION OF AUTHORITY TO REVIEW CONGRESSIONAL PROPOSALS FOR MILITARY PROMOTIONS:—

(1) STANDARDIZATION OF AUTHORITY WITH AUTHORITY ON DOD INITIATIVE.—Section 1563 of title 10, United States Code, is amended—

(A) in section 1563(b) by striking—

(i) in the first sentence, by striking “the posthumous or honorary promotion or appointment of a member or former member of the armed forces”, and inserting “the honorary promotion (whether or not posthumous) of a member or retired member of the armed forces to any grade not exceeding the grade of major general, rear admiral (upper half), or an equivalent grade in the Space Force following the submittal of the determination of the Secretary concerned in connection with the proposal for the promotion if the determination is to approve the making of the promotion.”;

(ii) in section 1563(c)(3)—

(B) in subsection (b), by striking “the posthumous or honorary promotion or appointment” and inserting “the honorary promotion”;

(2) AUTHORITY TO MAKE HONORARY PROMOTIONS FOLLOWING REVIEW OF PROPOSALS.—Such section is further amended—

(A) in subsection (c) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection (c):

“(c) HONORARY PROMOTION (WHETHER OR NOT POSTHUMOUS) OF A MEMBER OR RETIRED MEMBER OF THE ARMED FORCES.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary of Defense may make an honorary promotion (whether or not posthumous) of a member or retired member of the armed forces to any grade not exceeding the grade of major general, rear admiral (upper half), or an equivalent grade in the Space Force if the Secretary determines that the promotion is merited.

(2) The authority to make an honorary promotion under this subsection shall apply notwithstanding that the promotion is not otherwise authorized by law.

(b) NOTICE TO CONGRESS.—The Secretary may not make an honorary promotion pursuant to subsection (a) until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a notice of the determination to make the promotion, including a discussion of the rationale supporting the determination.

(c) NOTICE OF PROMOTION.—Upon making an honorary promotion pursuant to subsection (a), the Secretary shall expeditiously notify the former member or retired member concerned, or the next of kin of such former member or retired member if such former member or retired member is deceased, of the promotion.

(d) NATURE OF PROMOTION.—Any promotion pursuant to this section is honorary, and shall not affect the pay, retired pay, or other benefits from the United States to which the former member or retired member concerned is or would have been entitled based upon the military service of such member concerned, nor affect any benefits to which any other person may become entitled based upon the military service of such former member or retired member.”.

§ 1563. Consideration of proposals from Members of Congress for honorary promotions: procedures for review and promotion.

(c) CLERICAL AMENDMENT.—The table of section 1563 is amended to read as follows:

Subtitle G—Defense Dependents’ and Military Family Readiness Matters

PART I—DEFENSE DEPENDENTS’ EDUCATION MATTERS

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST REGISTRATION OF NATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—The amount authorized to be appropriated for fiscal year 2021 pursuant to section 301 and available for operation and maintenance for Defense–wide activities as specified in the funding table in section 301, $50,000,000 shall be available for use by the Secretary of Defense to pay for the education of military dependents attending schools with significant numbers of military dependent students.

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ‘local educational agency’ means an educational agency of a State, or an entity described in section 616 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2726).

SEC. 562. IMPACT AID FOR CHILDREN WITH SPECIAL NEEDS.

(a) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 pursuant to section 301 and available for operation and maintenance for Defense–wide activities as specified in the funding table in section 301, $10,000,000 shall be available for use by the Secretary of Defense to pay for the education of military dependents attending schools with significant numbers of military dependent students.

(b) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2021 pursuant to section 301 and available for operation and maintenance for Defense–wide activities as specified in the funding table in section 301, $10,000,000 shall be available for use by the Secretary of Defense to pay for the education of military dependents attending schools with significant numbers of military dependent students.

(c) REPORT.—Not later than March 1, 2021, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the extent to which entitlements are provided to students attending schools with significant numbers of military dependent students.

SEC. 563. STAFFING OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS TO MAXIMUM STUDENT-TO-TEACHER RATIOS

(a) IN GENERAL.—The Department of Defense Education Activity (DoDEA) shall staff each Department of Defense Education Activity school so that the student-teacher ratio does not exceed the maximum student-teacher ratio specified in subsection (b).

(b) MAXIMUM STUDENT-TO-TEACHER RATIOS.—The maximum student-to-teacher ratio specified in this subsection is—

(1) for each of grades kindergarten through 3, a ratio of 18 students to 1 teacher (18:1);

(2) for each of grades 4 through 12, a ratio equal to the average student-to-teacher ratio for such grade among all Department of Defense Education Activity schools during the 2019–2020 academic year.

(c) SUNSET.—The requirement to staff schools in accordance with subsection (a) shall expire at the end of the 2022–2023 academic year.

SEC. 564. MATTERS IN CONNECTION WITH FREE APPROPRIATE PUBLIC EDUCATION FOR DEFENDANTS OF MEMBERS OF THE ARMED FORCES WITH SPECIAL NEEDS

(a) INFORMATION ON DISPUTES REGARDING RECIPIENT OF FREE APPROPRIATE PUBLIC EDUCATION BY SPECIAL NEEDS DEFENDANTS.—

(A) IN GENERAL.—Each Secretary of a military department shall collect and maintain information on special education disputes filed by members of the Armed Forces under the jurisdiction of that Secretary.

(B) INFORMATION.—The information collected and maintained pursuant to this subsection shall include the following:

(1) The number of special education disputes filed.

(2) Any actions taken to correct disputes.

(3) SOURCE OF INFORMATION.—The information collected and maintained pursuant to this subsection shall be derived from the following:

(A) Records and reports of case managers and navigators under the Exceptional Family Member Program (EFMP) of the Department of Defense.

(B) Reports of members of the Armed Forces concerned installation or other military leadership.

SEC. 565. IMPACT AID FOR CHILDREN WITH SPECIAL NEEDS.
(C) Such other sources as the Secretary of the military department concerned considers appropriate.

(4) ANNUAL REPORTS.—Each Secretary of a military department shall submit each year to the Office of Special Needs of the Department of Defense a report on the information collected by such Secretary pursuant to this subsection for the preceding year.

(b) COMPTROLLER GENERAL OF THE UNITED STATES STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the following:

(A) The consequences for a State or local educational agency of a finding of failure to provide free appropriate public education to a military dependent.

(B) The manner in which local educational agencies with military families use the following:

(i) Funds received under section 7003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7003(d)).


(iii) Funds authorized to be appropriated by annual national defense authorization Acts and made available for assistance to schools with significant number of military dependent students under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7003b).

(C) The efficacy of attorney and other legal support for military families in special education disputes.

(D) The standardization of policies and guidance for School Liaison Officers between the Office of Special Needs of the Department of Defense and the military departments, and the efficacy of such policies and guidance.


(2) RECOMMENDATIONS.—In conducting the study, the Comptroller General shall develop recommendations on the following:

(A) Improvements and enhancements to oversight and enforcement of compliance by local educational agencies with requirements for the provision of a free appropriate public education to military dependents with special needs.

(B) Improvements to the policies of the Office of Special Needs, and of each military department, with respect to the standardization and efficacy of policies and programs for military dependents with special needs.

(3) DEADLINE FOR COMPLETION.—The Comptroller General shall complete the study by not later than March 31, 2021.

(4) BRIEFING AND REPORT.—Upon completion of the study, the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on the results of the study, and shall submit to such committees a report on such results.

(c) DEFINITIONS.—In this section:

(1) "Special education dispute" includes appropriate special education and related services required under the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(2) The term "local educational agency" has the meaning given that term in section 801 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) The term "special education dispute" means a complaint filed regarding the education provided a child with a disability in accordance with section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401), including a complaint filed in accordance with section 615 of such Act (20 U.S.C. 1415, 1419).

SEC. 556. PILOT PROGRAM ON EXPANDED ELIGIBILITY FOR DEPARTMENT OF DEFENSE EDUCATION ACTIVITY VIRTUAL HIGH SCHOOL PROGRAM.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program on permitting dependents of the Armed Forces on active duty to enroll in the Department of Defense Education Activity Virtual High School program in this section referred to as the "DVHS program".

(2) PURPOSES.—The purposes of the pilot program shall be as follows:

(A) To evaluate the feasibility and availability of the DVHS program.

(B) To assess the impact of expanded enrollment in the DVHS program under the pilot program on military and family readiness.

(C) Such other sources as the Secretary of Defense considers appropriate on whether to make the pilot program permanent.

(b) PILOT PROGRAM UNDER THIS SECTION.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program on permitting dependents of the Armed Forces on active duty to enroll in the Department of Defense Education Activity Virtual High School program in this section referred to as the "DVHS program".

(2) PURPOSES.—The purposes of the pilot program under this section are:

(A) To evaluate the feasibility and advisability of enrolling military and family readiness.

(B) To determine improved access to such schools to affect military and family readiness.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the committees of Congress referred to in paragraph (1) a final report on the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the committees of Congress referred to in paragraph (1) a final report on the pilot program.

(3) ELEMENTS.—Each report under this subsection shall include the following:

(A) A description of the demographics of the dependents participating in the pilot program through the date of such report.

(B) Data on the performance of student performance in virtual coursework by dependents participating in the pilot program during the duration of the pilot program.

(C) Such recommendations as the Secretary considers appropriate on whether to make the pilot program permanent.

(d) DEFINITIONS.—In this section:

(1) "Military dependents with special needs" means a dependent of a member of the Armed Forces on active duty who—

(A) are in a grade 9 through 12;

(B) are currently ineligible to enroll in the DVHS program; and

(C) otherwise demonstrate to the Secretary a clear need to participate in the DVHS program.

(2) "Home-schooled student" means a student participating in a home-schooled program.

(3) "Military installations at which covered DODEA schools are located.

(4) "DVHS program."—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.

(5) "MILITARY INSTALLATIONS"—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—

(A) has been established on or before the date of the enactment of this Act; and

(B) is located in the continental United States.

SEC. 557. COMPTROLLER GENERAL OF THE UNITED STATES STUDY OF 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 Committees on Armed Services of the Senate and the House of Representatives 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) STUDY.—The report shall include an assessment of the structural condition of the schools of the Department of Defense Education Activity, both within the continental United States (CONUS) and outside the continental United States (OCONUS).

(c) DEFINITIONS.—In this section:

(1) "Department of Defense Education Activity" means the military department shall submit each year to the Office of Special Needs of the Department of Defense a report on the information collected by such Secretary pursuant to this subsection for the preceding year.

(2) The term "home-schooled student" means a dependent of a member of the Armed Forces on active duty in grade 9 through 12 who receives educational instruction at home or by other non-traditional means outside of a public or private school system, either all or most of the time.
Section 1761 of title 10, United States Code, is amended—
(1) in subsection (b), by striking "enhance" and inserting "strengthen, enhance,";
(2) in subsection (c)(1), by inserting "and standard" after "comprehensive";
(3) in subsection (d)(1)(A), by adding at the end the following new subparagraph:
"(b) Ability to request a second review of the approved assignment within or outside the continental United States if the member believes the location is inappropriate for the member's family and would cause undue hardship;"
(4) in paragraph (4), by striking "update" and inserting "regularly update;"
(5) in paragraph (3), by adding at the end the following new subparagraph:
"(C) Ability to request a second review of the approved assignment overseen by the commanding officer.
"(E) Ability to request continuation of location when there is a documented substantial risk of transferring medical care or educational services to a new provider or school at the specific time of permanent change of station.
"(F) If an order for assignment is declined for a military family with special needs, the member will receive a reason for the decline of that order.
(C) in paragraph (4), by adding at the end the following new subparagraphs:
"(H) Procedures to right-size the Department of Defense level funds for military child development programs for children from birth through 12 years of age, and may not delegate such responsibility to the military departments.
SEC. 572. IMPROVEMENTS TO EXCEPTIONAL FAMILY MEMBER PROGRAM.
Section 7191c of title 10, United States Code is amended—
(1) in subsection (b), by striking "enhance" and inserting "strengthen,";
"(2) by redesigning subparagraphs (f), (h), and (i) as subsections (f), (h), and (i), respectively; and
"(3) by inserting after subparagraph (f) the following new paragraph:
"(C) Ability to request a second review of the approved assignment overseen by the commanding officer.
"(E) Ability to request continuation of location when there is a documented substantial risk of transferring medical care or educational services to a new provider or school at the specific time of permanent change of station.
"(F) If an order for assignment is declined for a military family with special needs, the member will receive a reason for the decline of that order.
"(G) Procedures to right-size the Department of Defense level funds for military child development programs for children from birth through 12 years of age, and may not delegate such responsibility to the military departments.
SEC. 573. PROVISIONS RELATING TO OFFICE OF SPECIFIC NEEDS FOR THE DEVELOPMENT OF INDIVIDUALIZED SERVICES PLANS FOR MILITARY FAMILIES WITH SPECIAL NEEDS.
Section 718(c)(4) of title 10, United States Code, as amended by section 572(3)(C) of this Act, is further amended—
(1) in subparagraph (F), by striking "of an individualized services plan (medical and educational)" and inserting "by an appropriate office of an individualized services plan (whether medical, educational, or both);
"(2) by redesigning subparagraphs (G), (H), and (I) as subparagraphs (H), (I), and (J), respectively; and
"(3) by inserting after subparagraph (F) the following new paragraph:
"(G) Procedures to right-size the Department of Defense level funds for military family members with special needs who have requested family support services and have a completed family needs assessment.
SEC. 574. RESTATEMENT AND CLARIFICATION OF AUTHORITY TO REIMBURSE MEMBERS FOR SOME RELICENSING COSTS PURSUANT TO A PERMANENT CHANGE OF STATION.
(a) IN GENERAL.—Section 53 of title 37, United States Code, is amended at the end of the subsection, by striking "(3) the reassignment of military families under the reassignment, either as a result of a permanent change of station or an assignment or a change in assignment by the Department of Defense in reported covered incidents of child abuse in which the alleged offender is another member of the Armed Forces, is authorized at the expense of the United States, to the extent that the reassignment is authorized at the expense of the United States under this section as part of the reassignment."
"(2) CENTRALIZED DATABASE FOR TRACKING OF INCIDENTS OF CHILD ABUSE.
(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
"(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
"(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
"(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
"(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
"(b) Data Collection and Tracking of Incidents of Child Abuse.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track and respond to incidents of child abuse involving dependent members of the Armed Forces that occur on military installations (in this section referred to as ‘‘covered incidents of child abuse’’).
"(2) Child Abuse.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.
(3) DEPARTMENT OF DEFENSE EDUCATION ACTIVITY GUIDANCE.—The Department of Defense Education Activity (DoDEA) shall issue clarifications of its guidance on the incidence of child sexual abuse that qualify as serious incidents for purposes of requirements for the reporting of such serious incidents by school administrators to Activity leadership.

(c) RESPONSE PROCESSES.—

(1) INCIDENT DETERMINATION COMMITTEE MEMBERS.—The Department of Defense Family Advocacy Program shall ensure that the voting membership of each Incident Determination Committee on a military installation includes all the personnel required to delve into the nature and availability of such services.

(2) SCREENING REPORTED INCIDENTS OF CHILD ABUSE.—

(A) DEVELOPMENT OF STANDARDIZED PROCESS.—The Department of Defense Family Advocacy Program shall develop a standardized process by which the Family Advocacy Programs of the military departments screen reported cases of child abuse to determine whether to present such incident to an Incident Determination Committee.

(B) The Secretary of each military department shall develop a process to monitor the manner in which reported covered incidents of child abuse are screened by each of such departments under the jurisdiction of such Secretary in order to ensure that such screening complies with the standardized screening process developed pursuant to subparagraph (A).

(3) REQUIRED NOTIFICATIONS.—

(A) DOCUMENTATION.—The Secretary of each military department shall require that installation and Family Advocacy Program and military criminal investigation organizations under the jurisdiction of such Secretary document in their respective databases the date on which they notified the other of a reported covered incident of child abuse.

(B) OVERSIGHT.—The Secretary of each military department shall require that the Family Advocacy Program of such military department, and the headquarters of the military department, collaborate on the development of such regulations of such military department, to develop processes to oversee the documentation of notifications required by subparagraph (A) in a manner that such notifications occur on a consistent basis at installation level.

(4) CERTIFIED PEDIATRIC SEXUAL Assault FORENSIC EXAMINERS.—

(A) GEOGRAPHIC REGIONS FOR EXAMINERS.—The Under Secretary of Defense for Personnel and Readiness shall specify geographic regions in which military families reside for purposes of the availability of and access to certified pediatric sexual assault examiners in such regions.

(B) PARTICIPATION OF CERTAIN ENTITIES.—

(i) The Under Secretary shall ensure that—

(1) one or more certified pediatric sexual assault examiners are located in each geographic region specified pursuant to subparagraph (A); and

(2) examiners so located serve as certified pediatric sexual assault examiners throughout a service component, without regard to Armed Force or installation.

(5) REMOVAL OF CHILDREN FROM UNSAFE HOMES OVERSEAS.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, issue policy that clarifies and standardizes across the Armed Forces the circumstances under which a commander may remove a child from an installation that is potentially unsafe at an installation oversea.

(6) RESOURCE GUIDE FOR FAMILIES AFFECTED BY CHILD ABUSE.—

(A) IN GENERAL.—The Secretary of each military department shall develop and maintain a resource guide available through the Department of Defense and such military department for military families under this jurisdiction of such Secretary who—

(i) have children; and

(ii) have a covered incident of child abuse.

(B) ELEMENTS.—Each guide under this paragraph shall include the following:

(i) Information on the response processes of the Family Advocacy Program and military criminal investigation organizations of the military department concerned.

(ii) Local and regional community services, such as legal, medical, and victim advocacy services, through the Department of Defense and the military department concerned.

(C) Distribution guide under this paragraph shall be available to a military family by an installation Family Advocacy Program and military criminal investigation personnel at the time a covered incident of child abuse involving a child in such family is reported.

(D) AVAILABILITY ON INTERNET.—A current version of each resource guide under this paragraph shall be available to the public on an Internet website of the military department concerned available to the public.

(E) COORDINATION AND COLLABORATION WITH NON-MILITARY RESOURCES.—

(1) COORDINATION WITH STATES.—The Secretary of Defense, in consultation with the Secretary of Labor, shall provide to the States in order to enhance the outreach efforts of the Department of Labor employment services on such installation.

(2) PARTICIPATION OF CERTAIN ENTITIES.—

(i) Each memorandum of understanding with the States shall include the following:

(A) Enhanced marketing and recruitment efforts to provide military child development centers with the opportunity to pay (referred to as ‘hardship waivers’) on a liberal basis in a manner consistent (as specified by the Secretary in such regulations) with ensuring that fee collection does not impede the provision of services.

(B) A FAMILY DISCOUNT.—In the case of a family with two or more children attending a child development center, the regulations prescribed pursuant to subsection (a) shall require that installation commanders issue waivers of fees otherwise established under the regulations for the attendance of such children.

(C) B AILABILITY OF CHILD CARE .—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to Congress a report

35022 CONGRESSIONAL RECORD — SENATE August 5, 2020
SEC. 586. REMOVAL OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) POLICY AND PROCESS REQUIRED.—Not later than October 1, 2021, the Secretary of Defense shall establish and maintain a policy and process through which any covered person may request that the person's name, personally identifying information, and other information pertaining to the person shall, in accordance with subsection (c), be corrected in, or expunged or otherwise removed from, the following:

(1) A law enforcement or criminal investigative report of the Department of Defense denying, whether in whole or in part, a request for assistance under subsection (a) shall include the following:

(A) The name of the five installations of the Department of Defense which the person's name was placed or reported, or is maintained, to which such report or request for assistance was transmitted, or transmitted information about the person's name, personally identifying information, and other information pertaining to the person.

(B) Whether adverse administrative, disciplinary, judicial, or other action was initiated against the covered person for the offense at issue.

(C) The type, nature, and outcome of any action described in subparagraph (B) against the covered person.

(2) Procedures under which the applicable component of the Department of Defense will correct, expunge or remove, take other appropriate action on, or assist a covered person in so doing, any request by the person, organization, or entity outside of the Department to which such component provided, submitted, or transmitted information about the covered person or information has or will be corrected in, or expunged or removed from, Department records pursuant to this subsection.

(3) The timeline pursuant to which the Department, or a component of the Department, as applicable, will respond to each of the following:

(A) A request pursuant to subsection (a).

(B) An appeal under the procedures required by subparagraph (A).

(4) The policy and process required by paragraph (3) shall be considered in the determination whether such circumstance or basis applies to a covered person for purposes of this section.

(b) UNLICENSED PERSONS.—The policy and process required by paragraph (4) shall apply to unlicensed persons.

(1) The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall develop, implement, and maintain a policy and process for the protection of unlicensed persons from the Department, which shall maintain a covered person apprised of the progress of the Department on a covered person's request or appeal as described in paragraph (c).

(2) The policy and process required by paragraph (1) shall be subject to the notice and comment rulemaking requirements under section 553 of title 5, United States Code.

SEC. 587. NATIONAL EMERGENCY EXCEPTION.

(a) MEMBERS OF REGULAR AND RESERVE COMPONENTS.—Section 586 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting ``(a) PROFESSIONAL LICENSE OR CERTIFICATION; ASSOCIATE’S DEGREE.—Before the Secretary shall, in accordance with subsection (c), be corrected in, or expunged or otherwise removed from, a report, item, or entry, or record described in subparagraphs (A) and (B), the following:

(ii) An appeal under the procedures required by paragraph (3) of subsection (a) shall be considered in the determination whether such circumstance or basis applies to a covered person for purposes of this section.

(2) CONSIDERATIONS.—While not dispositive as to the existence of a circumstance or basis set forth in paragraph (1), the following shall be considered in the determination whether such circumstance or basis applies to a covered person for purposes of this section:

(A) The extent or lack of corroborating evidence against the covered person concerning the offense at issue.

(B) Whether adverse administrative, disciplinary, judicial, or other action was initiated against the covered person for the offense at issue.

(C) The type, nature, and outcome of any action described in paragraph (B) against the covered person.

(3) PROCEDURES.—The policy and process required by subsection (a) shall include procedures as follows:

(A) Procedures under which a covered person may request the correction or removal of the applicable component of the Department of Defense denying, whether in whole or in part, a request for assistance under subsection (a).

(B) Procedures under which the applicable component of the Department will correct, expunge or remove, take other appropriate action on, or assist a covered person in so doing, any request by the person, organization, or entity outside of the Department to which such component provided, submitted, or transmitted information about the covered person or information has or will be corrected in, or expunged or removed from, Department records pursuant to this section.

(C) The timeline pursuant to which the Department, or a component of the Department, as applicable, will respond to each of the following:

(i) A request pursuant to subsection (a).

(ii) An appeal under the procedures required by subparagraph (A).

(D) Procedures with respect to conducting of surveys under section 587 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).''.

(b) CADETS AND MIDSHIPMEN.—(1) UNITED STATES MILITARY ACADEMY.—Section 766(c) of title 10, United States Code, is amended by adding at the end the following new subsection:

``(3)(A) The Secretary of Defense may postpone the conduct of a survey under this section if the Secretary determines that conducting such survey is not practicable due to a war or national emergency declared by the President or Congress.

(B) The Secretary shall ensure that a survey postponed under paragraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

(2) The Secretary shall notify Congress of a determination under paragraph (A) not later than 30 days after the date on which the Secretary makes such determination.''

(c) MEMBERS OF THE NAVY.—Section 397(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

``(3)(A) The Secretary of Defense may postpone the conduct of a survey under this section if the Secretary determines that conducting such survey is not practicable due to a war or national emergency declared by the President or Congress.

(B) The Secretary shall ensure that a survey postponed under paragraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

(C) The Secretary of Defense shall notify Congress of a determination under paragraph (A) not later than 30 days after the date on which the Secretary makes such determination.''

(d) APPLICABILITY.—Section 888(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

``(3)(A) The Secretary of Defense may postpone the conduct of a survey under this section if the Secretary determines that conducting such survey is not practicable due to a war or national emergency declared by the President or Congress.

(B) The Secretary shall ensure that a survey postponed under paragraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

(C) The Secretary of Defense shall notify Congress of a determination under paragraph (A) not later than 30 days after the date on which the Secretary makes such determination.''

(e) REPORT.—Not later than October 1, 2021, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the actions taken to carry out this section, including a comprehensive description of the policy and process developed and implemented by the Secretary under subsection (a)."
(3)(A) The Secretary of Defense may postpone the conduct of an assessment under this subsection if the Secretary determines that conducting such assessment is not practicable due to a war or national emergency declared by the President or Congress.

(B) The Secretary of Defense shall ensure that an assessment postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

(C) The Secretary of Defense shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.

(3) UNITED STATES AIR FORCE ACADEMY.—Section 9461(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

‘‘(3)(A) The Secretary of Defense may postpone the conduct of an assessment under this subsection if the Secretary determines that conducting such assessment is not practicable due to a war or national emergency declared by the President or Congress.

(B) The Secretary of Defense shall ensure that an assessment postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

(C) The Secretary of Defense shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.’’.

SEC. 588. SUNSET AND TRANSFER OF FUNCTIONS OF THE PHYSICAL DISABILITY BOARD OF REVIEW.

Section 1554a of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(h) TRANSFER.—Nothing in a pilot program may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE CONTRACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the full extent of any existing agreement.

(g) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to and participate in the Joint National Committee on Management, and authorities developed pursuant to paragraph (2).

(f) CONSTRUCTION OF PILOT PROGRAM.—An administering Secretary may use an existing platform, technology, or capability of a National Guard that provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard), with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, the Secretary shall be an ‘‘Advising Secretary’’ for purposes of this section, and any reference in this section to ‘‘the pilot program’’ shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), an administering Secretary shall conduct a pilot program in accordance with subsection (a).''

(3) The Secretary shall notify Congress of a determination under paragraph (1) not later than 30 days after the date on which the Secretary makes such determination.

SEC. 589. EXTENSION OF REPORTING DEADLINE FOR THE ANNUAL REPORT ON THE ADMINISTRATION OF THE EFFICACY OF ACTIVITIES OF THE FEDERAL VOTING ASSISTANCE PROGRAM.

(a) ELIMINATION OF REPORTS FOR NON-ELECTION YEARS.—Section 105A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20303(b)) is amended, in the matter preceding paragraph (1)—

(1) by striking ‘‘March 31 of each year’’ and inserting ‘‘November 30 of each odd-numbered year’’; and

(2) by striking the ‘‘following information’’ and inserting ‘‘the following information with respect to the Federal elections held during the preceding calendar year’’.

(b) CONSEQUENTIAL AMENDMENTS.—Subsection (b) of section 105A of such Act (52 U.S.C. 20303(b)) is amended—

(1) in the subsection heading, by striking ‘‘ANNUAL REPORT’’ and inserting ‘‘BIENNIAL REPORT’’; and

(2) in paragraph (3), by striking ‘‘In the case of’’ and all that follows through ‘‘a description’’ and inserting ‘‘A description’’.

SEC. 590. PILOT PROGRAMS ON REMOTE PROVIDING BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may, in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard state remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard), with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, the Secretary shall be an ‘‘Advising Secretary’’ for purposes of this section, and any reference in this section to ‘‘the pilot program’’ shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), an administering Secretary shall conduct a pilot program in accordance with subsection (a).

(c) ELEMENTS.—A pilot program under subsection (a) shall include the following:

(1) conduct an assessment of—

(A) existing cyber response capabilities of the Army National Guard or Air National Guard, as applicable, in each State participating in the pilot program; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program in accordance with subsection (e).

(d) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—Nothing in a pilot program may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(e) REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—Nothing in a pilot program may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(g) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and other Federal authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program, establish metrics to evaluate the effectiveness of the pilot program.

(h) TERM.—A pilot program under subsection (a) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(i) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary shall submit to the appropriate committees of Congress a report setting forth a description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the administering Secretary shall submit to the appropriate committees of Congress a report setting forth a description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.
section 1491.".

(2) CHAPTER 8.—The table of sections at the beginning of chapter 8 of such title is amended by striking "405. Per diem while on duty outside the continental United States.'';

(3) TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. REORGANIZATION OF CERTAIN ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.

(a) PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL UNITED STATES.—(1) TRANSFER TO CHAPTER 7.—Section 475 of title 37, United States Code, is transferred to chapter 7 of such title, inserted after section 433a, and redesignated as section 435.

(b) PER DIEM WHILE ON DUTY OUTSIDE THE CONTINENTAL UNITED STATES.

(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 redesignated by paragraph (1), is amended by striking subsection (c).

(c) CEREMONIAL BENEFITS.—The following sections at the beginning of chapter 7 of such title 37, United States Code, are amended—

(1) by inserting after the item relating to section 434 the following new item:

"435. Funeral honors duty: allowance.'';

(2) the extent, if any, to which the test would adversely impact members of the Armed Forces stationed in areas where such conduct is prohibited or that would affect recruitment and retention in critical support military occupational specialties (Mos) of the Army, such as medical personnel.

SEC. 593. REPORT ON IMPACT OF CHILDREN OF CERTAIN FILIPINO WORLD WAR II VETERANS ON NATIONAL SECURITY, FOREIGN POLICY, AND ECONOMIC AND HUMANITARIAN INTERESTS OF THE UNITED STATES.

(a) IN GENERAL.—Not later than December 31, 2020, the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of State, shall submit to the congressional defense committees a report on the extent to which children of certain Filipino World War II veterans on the national security, foreign policy, and economic and humanitarian interests of the United States.

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

(1) The number of Filipino World War II veterans who fought under the United States flag during World War II to protect and defend the United States in the Pacific theater.

(2) The number of Filipino World War II veterans who served under the United States flag during World War II to protect and defend the United States in the Pacific theater.

(3) An assessment of the economic and tax contributions that Filipino World War II veterans and their families have made to the United States.

(4) An assessment of the impact on the United States of exempting from the numerical limitations on immigrant visas the children of the Filipino World War II veterans who were naturalized under—

(A) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note);

(B) title III of the Nationality Act of 1940 (54 Stat. 1137; chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182; chapter 15).

(c) MOUNT.—The amount of hazardous duty pay under this section shall be paid on a monthly basis.

SEC. 562. HAZARDOUS DUTY PAY FOR MEMBERS OF THE ARMED FORCES PERFORMING DUTY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019.

(a) IN GENERAL.—The Secretary of the military department concerned shall pay hazardous duty pay under this section to a member of the Armed Forces not under orders to or on active duty on a frequent or sustained basis.

(b) REGULATIONS.—Hazardous duty pay under this section shall be payable under this section in accordance with regulations prescribed by the Secretary of the military department concerned for the discharge of the duties under this section.

(c) AMOUNT.—The amount of hazardous duty pay paid a member under this section shall be such amount per month, not less than $150 per month, as the Secretary of the military department concerned determines to be appropriate in light of the circumstances.

(d) MONEYS FOR WHICH PAYABLE.—Hazardous duty pay payable under this section is payable on account of the performance of duty in response to the Coronavirus Disease 2019 (COVID–19); and

(1) Any other hazardous duty payable under this section for a month in that month qualifying the person for payment of such pay.

(e) FOR WHICH PAYABLE.—Hazardous duty pay is payable under this section for qualifying duty performed in months occurring during the period—

(1) beginning on January 1, 2020; and

(2) ending on December 31, 2020.

(f) CONSTRUCTION WITH OTHER PAY.—Hazardous duty pay payable to a member under this section is in addition to the following:

(1) Any other pay and allowances to which the member is entitled.

(2) Any other hazardous duty pay to which the member is entitled under section 351 of title 37, United States Code (or any other provision of law), for duty that also constitutes qualifying duty for payment of such pay under this section.

(g) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the military department concerned should also authorize hazardous duty pay for members of the Armed Forces not under orders specific to the response to the Coronavirus Disease 2019 who provide—

(1) healthcare in a medical treatment facility for individuals infected with the Coronavirus Disease 2019; or

(2) technical or administrative support for the provision of healthcare as described in paragraph (1).
SEC. 603. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) COMPENSATION.—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end,

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding the end the following new paragraph:

“(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.”

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) IN GENERAL.—The period of maternity leave taken by a member of the reserve component of the Armed Forces in connection with the birth of a child shall count toward the member’s entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave taken by the member in connection with a childbirth event.

(c) CREDITS FOR HOMELAND SECURITY DUTY.—Points credited a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave commenced.

SEC. 604. MODERNIZATION AND CLARIFICATION OF PAYMENT OF CERTAIN RETIRED OR RETAINER PAY.

SEC. 605. ENHANCED BONUSES AND INCENTIVE PAY FOR OFFICERS IN THE CIVILIAN RESERVE."
“(d) The Secretary of Defense shall prescribe regulations under which a Reserve of the Army, Navy, Air Force, Marine Corps, or Coast Guard may waive the pay and allowances authorized by law for the duty the Reserve is performing under subsection (a)(2) or (b)(2).”

(e) Effective date.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

SEC. 623. RELIEF OF RICHARD W. COLLINS III.

(a) Findings.—Congress makes the following findings:

(1) On May 26, 2017, Lieutenant Richard W. Collins was murdered on the campus of the University of Maryland, College Park, Maryland.

(2) At the time of his murder, Lieutenant Collins had graduated from the Reserve Officers’ Training Corps at Bowie State University and received a commission in the United States Army.

(3) At the time of the murder of Lieutenant Collins, a graduate of a Reserve Officers’ Training Corps who received a commission but died before receiving a first duty assignment was not eligible for a death gratuity under section 1475(a)(4) of title 10, United States Code, or for casualty assistance under section 633 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 1475 note).

(4) Section 623 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) amended section 1475 of title 10, United States Code, to authorize the payment of a death gratuity to a graduate of the Senior Reserve Officers’ Training Corps (SROTC) who receives a commission but dies before receiving a first duty assignment.

(5) Section 625 of the National Defense Authorization Act for Fiscal Year 2020 authorizes the families of Senior Reserve Officers’ Training Corps graduates who receive a commission but dies before receiving a first duty assignment on or after the date of enactment of that Act.

(6) Sections 623 and 625 of the National Defense Authorization Act for Fiscal Year 2020 apply only to a Senior Reserve Officers’ Training Corps graduate who receives a commission but dies before receiving a first duty assignment on or after the date of the enactment of that Act.

(7) The death of Lieutenant Collins played a critical role in the development of the criteria for the death gratuity for Senior Reserve Officers’ Training Corps graduates who die prior to their first assignment.

(b) Applicability of laws.—

(1) Death gratuity.—Section 623 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92), and the amendment made by that section, shall apply to Lieutenant Richard W. Collins III as if his death had occurred after the date of the enactment of that section.

(2) Casualty assistance.—Section 625 of the National Defense Authorization Act for Fiscal Year 2020, and the amendment made by that section, shall apply to Lieutenant Richard W. Collins III as if his death had occurred after the date of the enactment of that section.

(c) Limitation.—No amount exceeding 10 percent of a payment made under subsection (b)(1) may be paid to or received by any attorney or agent for services rendered in connection with the payment. Any person who violates this subsection shall be guilty of an infraction and shall be subject to a fine in the amount provided under title 18, United States Code.

Subtitle D—Other Matters

SEC. 631. PERMANENT AUTHORITY FOR AND ENHANCEMENT OF THE GOVERNMENT LODGING PROGRAM.

(a) Permanent authority.—Section 914 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (5 U.S.C. 5911 note) is amended—

(1) in subsection (a), by striking “, for the period of time described in subsection (b),”; and

(2) by striking subsection (b).

(b) Exclusion of certain shipyard employees.—Such section is further amended by inserting in the following new subsection (b):

“(b) Exclusion of certain shipyard employees.—Government lodging programs under the authority in subsection (a), the Secretary shall exclude from the requirements of the program employees who are traveling for the performance of mission functions of a public shipyard of the Department if the purpose or mission of such travel would be adversely affected by the requirement in subsection (a).”

(c) Conforming amendments.—

(1) Section Heading.—The heading of such section is amended to read as follows: “908. Reserves and retired members: acceptance of employment, payments, and awards from foreign governments.”

(2) Table of sections.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 908 and inserting the following new item:

“908. Reserves and retired members: acceptance of employment, payments, and awards from foreign governments.”

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. AUTHORITY FOR SECRETARY OF DEFENSE TO MANAGE PROVIDER TYPE REReferral and Supervision Requirements Under TRICARE Program.

Section 1079(a)(2) of title 10, United States Code, is amended, in the first sentence, by striking “or certified clinical social worker,” and inserting “certified clinical social worker,” except as authorized in paragraph (4),”.

SEC. 702. REMOVAL OF CHRISTIAN SCIENCE PROVIDERS AS AUTHORIZED PROVIDERS UNDER THE TRICARE PROGRAM.

(a) Repeal.—Subsection (a) of section 1079 of title 10, United States Code, is amended by striking paragraph (4).

(b) Conforming Amendment.—Paragraph (12) of such subsection is amended, in the first sentence, by striking “, except as authorized in paragraph (4),”.

SEC. 703. WAIVER OF FEES CHARGED TO CERTAIN CIVILIANS FOR EMERGENCY MEDICAL TREATMENT RECEIVED 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 medical treatment facility may waive a fee charged under the procedures to a civilian who is not a covered beneficiary if—

(1) after insurance payments, if any, the civilian is unable to pay for the trauma or other medical care provided to the civilian; and

(2) the provision of such care enhanced the medical readiness of the health care provider or health care providers furnishing such care.”.

SEC. 704. MENTAL HEALTH RESOURCES FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS DURING THE COVID-19 PANDEMIC.

(a) Plan.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan to protect and promote the mental health and well-being of members of the Armed Forces and their dependents, which shall include the following:

(1) A strategy to combat existing stigma surrounding mental health conditions that might deter such individuals from seeking care.

(2) Guidance to commanding officers at all levels on the mental health ramifications of the COVID-19 crisis.

(3) Additional training and support for mental health care professionals of the Department of Defense on supporting individuals who are concerned for the health of themselves and their family members, or
grieving the loss of loved ones due to COVID-19.

(4) A strategy to leverage telemedicine to ensure safe access to mental health services.

(b) The Secretary of Defense shall conduct outreach to the military community to identify resources and health care services, including mental health care services, available under the TRICARE program to support members of the Armed Forces and their dependents.

(c)Definitions.—In this section, the terms "dependent" and "TRICARE program" have the meanings given those terms in section 102 of such title.

SEC. 705. TRICARE MEDICAL CARE BENEFITS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD SERVING UNDER ORDER 502(e) RESPONSIVE TO THE COVID-19 PANDEMIC.

(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(e) 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 (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 COVID-19 pandemic.

(b) Definitions.—In this section, the terms "active duty", "active service", and "full-time National Guard duty" have the meanings given to those terms in section 102(d) of title 10, United States Code.

SEC. 706. EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.

(a) Demonstration Project Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall commence the conduct of a demonstration project designed to evaluate the cost, quality of care, and impact on maternal and fetal outcomes of using extramedical maternal health providers under the TRICARE program to determine the appropriateness of making coverage of such providers under the TRICARE program permanent.

(b) Elements of Demonstration Project.—The demonstration project required under subsection (a) shall include, for participants in the demonstration project, the following:

(1) Access to doulas.

(2) Access to lactation consultants who are not otherwise authorized to provide services under the TRICARE program.

(c) Participants.—The Secretary shall establish a process under which covered beneficiaries may enroll in the demonstration project in order to receive the services provided under the demonstration project.

(d) Survey.—The Secretary shall carry out the demonstration project for a period of five years beginning on the date on which notification of the commencement of the demonstration project is published in the Federal Register.

(e) Survey.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the duration of the demonstration project, the Secretary shall administer a survey to determine—

(1) how many members of the Armed Forces or spouses of such members give birth while their spouse or birthing partner is unable to be present due to deployment, training, or other mission requirements;

(2) how many single members of the Armed Forces give birth alone; and

(3) how many members of the Armed Forces or spouses of such members use doula support or lactation consultants.

(2) Matters Covered by the Survey.—The survey administered under paragraph (1) shall include an identification of the following:

(A) The race, ethnicity, age, sex, relationship status, military service, military occupation, and rank, as applicable, of each individual surveyed.

(B) If the individuals surveyed were members of the Armed Forces or the spouses of such members, or both.

(C) The length of advanced notice received by individuals surveyed that the member of the Armed Forces would be unable to be present during the birth, if applicable.

(D) Any reason that 10% of individuals surveyed found useful during the pregnancy and birth process, including doula or lactation counselor support.

(f) Reports.—

(1) Implementation Plan.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to implement the demonstration project.

(2) Annual Reports.—Not later than one year after the commencement of the demonstration project, and annually thereafter for the duration of the demonstration project, and annually thereafter for the duration of the demonstration project, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the following:

(i) The number of enrolled covered beneficiaries who are enrolled in the demonstration project.

(ii) The results of the surveys under subsection (e).

(iii) The cost of the demonstration project.

(iv) An assessment of the quality of care provided to participants in the demonstration project.

(v) An assessment of the impact of the demonstration project on maternal and fetal outcomes.

(vi) Recommendations for adjustments to the demonstration project.

(vii) An assessment of the effectiveness of the demonstration project.

(viii) Recommendations for adjustments to the demonstration project.

(ix) The estimated costs avoided as a result of improved maternal and fetal health outcomes due to the demonstration project.

(x) Recommendations for extending the demonstration project or establishing permanent coverage under the TRICARE program of extramedical maternal health providers.

(xi) An identification of legislative or administrative action necessary to make the demonstration project permanent.

(g) Expansion of Demonstration Project.—

(1) Regulations.—If the Secretary determines that the demonstration project is successful, the Secretary may prescribe regulations implementing additional extramedical maternal health providers as health care providers authorized to provide care under the TRICARE program.

(h) Credentialing and Other Requirements.—The Secretary may establish credentialing and other requirements for

SEC. 707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER THE TRICARE PHARMACY PROGRAM.

(a) Requirement.—The Secretary of Defense shall carry out a pilot program under which eligible covered beneficiaries may elect to receive non-generic prescription maintenance medications selected under subsection (c) through military treatment facilities, pharmacy benefits managers, intramural pharmacies, retail pharmacies, or the national mail-order pharmacy program, not later than 180 days after the date of the enactment of this Act.

(b) Duration.—Not later than one year after the commencement of the pilot program, and annually thereafter for the duration of the demonstration project, the Secretary shall submit to the congressional defense committees a report on the pilot program.

(c) Selection of Medication.—The Secretary shall select non-generic prescription maintenance medications described in section 1074(a)(9)(A) of title 10, United States Code, to be covered by the pilot program.

(d) Use of Voluntary Rebates.—

(1) Requirement.—In carrying out the pilot program, the Secretary shall seek to renew and modify contracts described in paragraph (2) in a manner that—

(A) includes for purposes of the pilot program retail pharmacies as a point of sale for the non-generic prescription maintenance medication covered by the contract; and

(B) provides the manufacturer with the option to provide voluntary rebates for such medications at retail pharmacies.

(2) Contracts Described.—The contracts described in paragraph (2) are contracts for the procurement of prescription maintenance medications selected under subsection (c) that are eligible for renewal during the period in which the pilot program is carried out.

(e) Notification.—In providing each eligible covered beneficiary with an explanation of benefits, the Secretary shall inform the beneficiary of whether the medication that the beneficiary is prescribed is covered by the pilot program.

(f) Briefing and Reports.—

(1) Briefing.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on the implementation of the pilot program.

(2) Interim Report.—Not later than 18 months after the commencement of the pilot program, the Secretary shall submit to the congressional defense committees a report on the pilot program.

(3) Comptroller General Report.—Not later than March 1, 2024, the Comptroller General of the United States shall submit to the congressional defense committees a report on the pilot program.

(b) Elements.—The report required by subparagraph (A) shall include the following:

(1) The number of eligible covered beneficiaries who participate in the pilot program.

(2)DataMembering and other requirements for

SEC. 708. PILOT PROGRAM ON RECEIPT OF NON-GENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER THE TRICARE PHARMACY PROGRAM.
(ii) The rate by which eligible covered beneficiaries elected to receive non-generic prescription maintenance medications at a pharmacy program for brand name prescription drugs;

(g) Rule of Construction—Nothing in this section may be construed to affect the ability of the Secretary to carry out section 1074a(c)(9)(C) of title 10, United States Code, after the date on which the pilot program is completed.

(d) Change of Name of Command.—(1) In section 713(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 9551 note) is amended by striking “January 1, 2022” and inserting “January 1, 2023”.

SEC. 722. DELAY OF APPLICABILITY OF ADMINISTRATIVE INSTRUCTIONS TO TRICARE DENTAL PLANS THROUGH FEDERAL EMPLOYEES DENTAL AND VISION INSURANCE PROGRAM.

Section 713(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 9551 note) is amended by striking “January 1, 2022” and inserting “January 1, 2023”.

SEC. 723. AUTHORITY OF SECRETARY OF DEFENSE TO WAIVE REQUIREMENTS DURING NATIONAL EMERGENCIES FOR PURPOSES OF PROVISION OF HEALTH CARE.

(a) Purpose of Section.—(1) That sufficient authorized health care items and services are available to meet the needs of covered beneficiaries in such area; and

(b) Authority.—(1) In general.—To the extent necessary to accomplish the purpose specified in subsection (a), the Secretary, subject to the provisions of this section, may, for a period of 60 days, waive or modify the application of the requirements of this section or any regulation prescribed thereunder with respect to covered beneficiaries furnished by a health care provider (or class of health care providers) in an emergency area (or portion of such area) during an emergency period (or portion of such period), including by deferring the termination of status of a covered beneficiary.

(2) Renewal.—The Secretary may renew a waiver or modification under paragraph (1) for subsequent 60-day periods during the duration of the applicable emergency declaration.

(c) Implementation.—The Secretary may implement any temporary waiver or modification made pursuant to this section by program instruction or otherwise.

(SECTION 741. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE–DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.


(SECTION 742. MEMBERSHIP OF BOARD OF REGENTS OF UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) In general.—Section 2113(b) of title 10, United States Code, is amended by—

the purposes of” and inserting therein—
(2) by inserting after paragraph (2) the following new paragraph:

“(3) the Director of the Defense Health Agency, who shall be an ex officio member.”;

(b) In subsection (b), the amendment made by this section may not be construed to invalidate any action taken by the Uniformed University of the Health Sciences or its Board of Regents prior to the effective date of this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2021.

SEC. 743. MILITARY HEALTH SYSTEM CLINICAL QUALITY MANAGEMENT PROGRAM.

(a) In general.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall implement a comprehensive program to be known as the “Military Health System Clinical Quality Management Program” (in this section referred to as the “Program”).

(b) Elements of Program.—The Program shall include, at a minimum, the following:

(1) The implementation of systematic procedures to eliminate, to the maximum extent feasible, risk of harm to patients at military medical treatment facilities, including through identification, investigation, and analysis of events indicating a risk of patient harm and corrective actions to mitigate such risks.

(2) With respect to a potentially compensable event (including those involving members of the Armed Forces) at a military medical treatment facility—

(A) an analysis of such event, which shall occur at the department as soon as possible after the event;

(B) use of such analysis for clinical quality management; and

(C) reporting of such event to the National Practitioner Data Bank in accordance with guidelines of the Secretary of Health and Human Services under the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11101 et seq.), giving special emphasis to the results of external peer reviews of the event.

(3) Validation of provider credentials and granting of clinical privileges by the Director of the Defense Health Agency for all health care providers at a military medical treatment facility.

(4) A redistribution of military medical treatment facilities by a recognized external accreditation body.

(5) Systematic measurement of indicators of health, emphasizing actual and perceived health care quality improvement organizations, and transactions of the public of appropriate clinical measurements for military medical treatment facilities.

(6) Systematic activities emphasized by leadership at all organizational levels to use all elements of the Program to eliminate unwanted variance throughout the health care system of the Department of Defense and make constant improvements in clinical quality.

(7) A full range of procedures for productive communication between patients and health care personnel, regarding actual or perceived adverse clinical events at military medical treatment facilities, including procedures—

(A) for full disclosure of such events (respecting the confidentiality of peer review information under a medical quality assurance program under section 1102 of title 10, United States Code); and

(B) providing an opportunity for the patient to be heard in relation to quality reviews; and

(C) to resolve patient concerns by independent, neutral health care resolution specialists.

(c) ADDITIONAL CLINICAL QUALITY MANAGEMENT ACTIVITIES.

(1) In general.—In addition to the elements of the Program set forth in subsection (b), the Secretary shall establish and maintain clinical quality management activities in relation to functions of the health care system of the Department separate from delivery of health care services in military medical treatment facilities.

(2) Health care delivery outside military medical treatment facilities.—In carrying out paragraph (1), the Secretary shall maintain policies and procedures to promote clinical quality in health care delivery on sea, shore, or base settings, and in all other circumstances not covered by subsection (b), with the objective of implementing standards and procedures comparable, to the maximum extent practicable, to those under such subsection.

(3) Purchased care system.—In carrying out paragraph (1), the Secretary shall maintain policies and procedures for health care services provided outside the Department but paid for by the Department, reflecting best practices public and private health care reimbursement and management systems.

(d) Military medical treatment facility definition.—In this section, the term “military medical treatment facility” means any fixed facility or portion thereof of the Department of Defense that is outside of a deployed environment and used primarily for health care.

SEC. 744. MODIFICATIONS TO PROGRAM ON CLINICAL QUALITY MANAGEMENT OF MILITARY PARTNERS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

Section 744 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a)—

(A) by striking “The Secretary of Defense may” and inserting “Beginning not later than September 30, 2021, the Secretary of Defense shall”; and

(B) by striking “health care organizations, institutions, and entities” and inserting “health care organizations, health care institutions, health care entities, academic medical centers of institutions of higher education, and hospitals”; and

(C) by striking “in the vicinity of major aeromedical and other transport hubs and logistics centers of the Department of Defense”;

(2) by striking subsection (c) and inserting the following new subsections:

(3) Lead official for design and implementation of pilot program.—

“(1) IN GENERAL.—The Assistant Secretary of Defense for Health Affairs shall be the lead official for design and implementation of the pilot program under subsection (a).

“(2) Resources.—The Assistant Secretary of Defense for Health Affairs shall leverage the resources of the Defense Health Agency for execution of the pilot program under subsection (a) and shall coordinate with the Chairman of the Joint Chiefs of Staff throughout the planning and duration of the pilot program.

“(d) Locations.—

“(1) IN GENERAL.—The Secretary of Defense shall carry out the pilot program under subsection (a) at not fewer than five locations in the United States that are located at or near locations of institutions deployed in disaster health preparedness and response and trauma care that augment and enhance the effectiveness of the pilot program.

“(2) PHASES OF LOCATIONS.—

“(A) INITIAL SELECTION.—Not later than the earlier of the date that is 180 days after the date of the enactment of this Act or March 31, 2021, the Assistant Secretary of Defense for Health Affairs, in consultation with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation, shall select not fewer than two locations at which to carry out the pilot program.

“(B) SUBSEQUENT SELECTION.—Not later than the end of each one-year period following selection of locations under subparagraph (A), the Assistant Secretary of Defense for Health Affairs, in consultation with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation, shall select not fewer than two additional locations at which to carry out the pilot program until not fewer than five locations are selected in total.

“(C) CONSIDERATION AND PRIORITY FOR LOCATIONS.—In selecting locations for the pilot program under subsection (a), the Secretary shall—

“(A) consider—

(i) the proximity of the location to civilian or military transportation hubs, including airports, railways, interstate highways, or ports;

(ii) the ability of the location to accept a redistribution of casualties during times of war;

(iii) the ability of the location to provide trauma care training opportunities for medical personnel of the Department of Defense; and

(iv) the proximity of the location to existing academic medical centers of institutions of higher education, facilities of the Department, or other institutions that have established expertise in the areas of—

(I) highly infectious disease;

(II) biocollection;

(III) quarantine;

(IV) trauma care;

(V) combat casualty care;

(VI) the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300h–11); and

(VII) disaster health preparedness and response;

(B) give priority to public-private partnerships with academic medical centers of institutions of higher education, hospitals, and other entities with facilities that have an established history of providing clinical care, treatment, training, and research in the areas described in subparagraph (A)(ii) or other specializations determined important by the Secretary for purposes of the pilot program;“;

(3) by redesignating subsections (d) through (g) as subsections (e) through (g), respectively;

(4) in subsection (g), as redesignated by paragraph (3)—

(A) in subparagraph (A)—

(i) in subparagraph (A), by striking “the commencement of the pilot program under subsection (a)” and inserting “the initial selection of locations of the pilot program under subsection (d)(2)(A)”;

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

“(B) in paragraph (2)(B)(i), by striking “the authority for” and inserting “the authority for”;

(iii) in paragraph (2)(B)(iv), by striking “the authority for” and inserting “the authority for”;

(iv) in subsection (g), as redesignated by paragraph (3)—

(i) in subparagraph (A), by striking “(A) The Assistant Secretary of Defense for Health Affairs shall be the lead official for design and implementation of the pilot program under subsection (a).”;

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

“(B) in paragraph (2)(B)(i), by striking “the authority for” and inserting “the authority for”; and

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

“(II) the National Disaster Medical System under section 744 of title 10, United States Code,”;

(5) by striking subsection (h) and inserting the following:

“(h) E FFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2021.

(b) Rule of Construction.—The amendments made by this section may not be construed to invalidate any action taken by the Uniformed University of the Health Sciences or its Board of Regents prior to the effective date of this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2021.
(b) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term ‘institution of higher education’ means a four-year institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SEC. 745. STUDY ON FORCE MIX OPTIONS AND SERVICE MODELS TO ENHANCE READINESS OF MEDICAL FORCE OF THE ARMED FORCES TO PROVIDE COMBAT CASUALTY CARE.

(a) STUDY REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center or other independent entity to perform a study on force mix options and service models (including traditional and nontraditional active and reserve models) to optimize the readiness of the medical force of the Armed Forces to deliver combat care on the battlefield.

(b) ISSUES TO BE ADDRESSED.—The study required by subsection (a) shall include, at a minimum—

(1) with respect to options relating to members of the Armed Forces on active duty—

(A) a review of existing models for such members who are medical professionals to support clinical readiness skills by serving in civilian trauma centers;

(B) an assessment of the extent to which existing models can be optimized, standardized, and scaled to address current readiness shortfalls; and

(C) an evaluation of the cost and effectiveness of alternative models for such members who are medical professionals to serve in civilian trauma centers; and

(2) with respect to options relating to members of the reserve components of the Armed Forces—

(A) a review of existing models for such members of the reserve components who are medical professionals to support clinical readiness skills by serving in civilian trauma centers;

(B) an assessment of the extent to which existing models can be optimized, standardized, and scaled to address current readiness shortfalls; and

(C) an evaluation of the cost and effectiveness of alternative models for such members who are medical professionals to serve in civilian trauma centers.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriations committees of the Congress a report on the study conducted under subsection (a).

SEC. 746. COMPTROLLER GENERAL STUDY ON DELIVERY OF MENTAL HEALTH SERVICES TO MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the delivery of Federal, State, and private mental health services to members of the reserve components immediately before, during, and after—

(A) Federal deployment under title 10, United States Code; or

(B) State deployment under title 32, United States Code; and

(c) recommendations when practicable to strengthen the reintegration of members of the reserve components, including an assessment of the effectiveness of making provisions under paragraph (1) more accessible to such components.

(b) CONTENT OF REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study conducted under subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such review.

SEC. 747. REVIEW AND REPORT ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES STATIONED AT REMOTE INSTALLATIONS OUTSIDE THE CONTIGUOUS UNITED STATES.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of efforts by the Department of Defense to prevent suicide among members of the Armed Forces stationed at covered installations.

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include an assessment of each of the following:

(1) The standards regarding data collection, including guidance and training to assist commanders in addressing incidents of attempted or completed suicide within their units.

(2) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations.

(3) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations.

(4) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations.

(5) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations.

(6) The means to ensure the protection of privacy of mental health records.

(7) The availability of information from indigenous populations on suicide prevention.

(8) The means to ensure the protection of privacy of mental health records.

(9) The availability of information from indigenous populations on suicide prevention.

(b) ELEMENTS.—The study conducted under subsection (a) shall—

(1) identify data collection, coverage, and costs associated with services described in such subsection;

(2) specify gaps or barriers to access that could result in delayed or insufficient mental health care support to members of the reserve components.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives 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.

SEC. 748. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall commence the conduct of an audit of the medical conditions of eligible individuals using privatized military housing 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; and

(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.

(c) BRIEFING AND REPORT.—The Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the audit conducted under subsection (a).

(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 10727 of title 10, United States Code); and

(e) SUBMITTAL AND PUBLIC AVAILABILITY OF REPORT.—Not later than one year after the commencement of the audit under subsection (a), the Inspector General of the Department shall—

(1) submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the audit conducted under subsection (a); and

(2) publish such report on a publicly available internet website of the Department of Defense.

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means a member of the Armed Forces or a family member of a member of the Armed Forces who has resided in an unsafe or unhealthy housing unit.

(2) PRIVATIZED MILITARY HOUSING.—The term ‘privatized military housing’ means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) UNSAFE OR UNHEALTHY HOUSING UNIT.—The term ‘unsafe or unhealthy housing unit’ means a unit of privatized military housing in which, at any given time, at least one of the following hazards is present:

(i) Physiological hazards, including the following:

(C) dampness or microbial growth.
and dependents of such members; and
prove prenatal and postpartum mental health conditions among members of the Armed Forces and dependents of such members.

(2) STUDY.—
(I) IN GENERAL.—The Comptroller General of the United States shall conduct a study on prenatal and postpartum mental health conditions among members of the Armed Forces and dependents of such members.

(a) STUDY.—
(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on prenatal and postpartum mental health conditions among members of the Armed Forces and dependents of such members, diagnosed with prenatal or postpartum mental health conditions, including—
(i) postnatal or postpartum depression;
(ii) prenatal or postpartum anxiety disorder;
(iii) prenatal or postpartum obsessive compulsive disorder;
(iv) prenatal or postpartum psychosis; and
(v) other relevant mood disorders.

(b) ELEMENTS OF ASSESSMENT.—The assessment required by paragraph (1) shall include the following:
(1) an assessment of the status of prenatal and postpartum mental health care for beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, with respect to access, satisfaction, and quality of care provided;
(2) an assessment of the ease and delay for beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, for prenatal and postpartum mental health conditions, including—
(A) an assessment of wait times for mental health treatment at each military medical treatment facility; and
(B) a demographic assessment of the population involved in the study with respect to race, ethnicity, sex, age, relationship status, military service, military occupation, and rank, where applicable.

(c) DEFINITIONS.—In this section, the terms “dependent” and “TRICARE program” have the meanings given those terms in section 1972 of title 10, United States Code.

SEC. 750. PLAN FOR EVALUATION OF FLEXIBLE SPENDING ACCOUNT OPTIONS FOR MEDICAL EXPENSES, AND DEPENDENT CARE EXPENSES.

(a) GENERAL.—The Comptroller General shall submit to the congressional defense committees a plan to evaluate flexible spending account options that allow pre-tax payment of health and dependent care expenses for military families.

(b) ELEMENTS.—The plan required by paragraph (1) shall include the following:
(1) the findings of the study conducted under subsection (a), the Comptroller General determines appropriate.

(c) REPORT.—Not later than 180 days after the completion of the assessment under subsection (a), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment.

(d) DEFINITIONS.—In this section:
(1) CIVILIAN.—The term “civilian” means an individual who is not—
(A) a member of the Armed Forces,
(B) a contractor of the Department of Defense,
(C) a civilian employee of the Department,
(2) COVERED BENEFICIARY.—The term “covered beneficiary” means the meaning given that term in section 1072(e)(5) of title 10, United States Code.

SEC. 751. ASSESSMENT OF EFFECT OF MEDICAL DEBT AND OTHER FINANCIAL ASSETS ON MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of the process described in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(b) ELEMENTS.—The assessment required by section 1072(e)(5) of title 10, United States Code.

(1) The total fees charged to such civilians for such treatment and the total fees collected.
(2) The amount of medical debt from such treatment that was garnished from such civilians, categorized by garnishment from Social Security benefits, tax refunds, wages, or other financial assets.
(3) The number of such civilians from whom medical debt from such treatment was transferred.
(4) The total fees for such treatment that were waived for such civilians.
(5) With respect to medical debt incurred by such civilians:
(A) the amount of such debt that was collected by the Department of Defense;
(B) the amount of such debt still owed to the Department of Defense;
(C) the amount of debt transferred from the Department of Defense to the Department of Treasury for collection.

(c) REPORT.—Not later than 180 days after the completion of the assessment under subsection (a), the Comptroller General shall submit to Congress a report assessing the following:
(1) The number of such civilians from whom medical debt was collected who did not possess medical insurance at the time of such treatment.
(2) The number of such civilians from whom medical debt was collected who collected Social Security benefits at the time of such treatment.
(3) The number of such civilians from whom medical debt was collected who, at the time of such treatment, earned—
(A) less than the poverty line;
(B) less than 200 percent of the poverty line;
(C) less than 300 percent of the poverty line; and
(D) less than 400 percent of the poverty line.

(4) An assessment of the process through which military medical treatment facilities and beneficiaries under the TRICARE program might seek to recover unpaid medical debt collected as a typical health care provider, including the status of military treatment facilities and the total fees charged to such civilians from whom such medical debt was collected who did not possess medical insurance at the time of such treatment.

(d) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national interest of the United States to ensure members of the Armed Forces, former members of the Armed Forces, and their dependents, receive high-quality health care, and that Federal agencies prioritize, with respect to military medical treatment facilities, the acquisition of essential medical equipment and medical supplies that can lead to uncompensated costs and uncompensated care, even though providing that treatment often results in litigation, and with respect to military medical professionals.

SEC. 752. REPORT ON BILLING PRACTICES FOR MEDICAL DEPARTMENT OF DEFENSE PROVIDES HEALTH CARE SERVICES UNDER THE TRICARE PROGRAM.

SEC. 753. LACK OF EFFECTIVE COLLECTION PROGRAM.

(a) FINDINGS.—Congress finds the following:
(1) Through the TRICARE program, the Department of Defense provides health care services to approximately 9,500,000 beneficiaries.

(2) The Department of Defense is not structured as a typical health care provider, which can lead to uncompensated care.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national interest of the United States to ensure members of the Armed Forces, former members of the Armed Forces, and their dependents, receive high-quality health care, and that Federal agencies prioritize, with respect to military medical treatment facilities, the acquisition of essential medical equipment and medical supplies that can lead to uncompensated costs and uncompensated care, even though providing that treatment often results in litigation, and with respect to military medical professionals.

SEC. 754. PLAN FOR EVALUATION OF FLEXIBLE SPENDING ACCOUNT OPTIONS FOR MEDICAL EXPENSES, AND DEPENDENT CARE EXPENSES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report assessing the billing practices of the Department of Defense as required by section 1072(e)(5) of title 10, United States Code.

(b) ELEMENTS.—The plan required by section 1072(e)(5) of title 10, United States Code.

(1) The total fees charged to such civilians for such treatment and the total fees collected.
(2) The amount of medical debt from such treatment that was garnished from such civilians.
(3) The number of such civilians from whom medical debt from such treatment was transferred.
(4) The total fees for such treatment that were waived for such civilians.

(c) REPORT.—Not later than 180 days after the completion of the assessment under subsection (a), the Comptroller General shall submit to Congress a report assessing the following:
(1) The number of such civilians from whom medical debt was collected who did not possess medical insurance at the time of such treatment.
(2) The number of such civilians from whom medical debt was collected who collected Social Security benefits at the time of such treatment.
(3) The number of such civilians from whom medical debt was collected who, at the time of such treatment, earned—
(A) less than the poverty line;
(B) less than 200 percent of the poverty line;
(C) less than 300 percent of the poverty line; and
(D) less than 400 percent of the poverty line.

(4) An assessment of the process through which military medical treatment facilities and beneficiaries under the TRICARE program might seek to recover unpaid medical debt collected as a typical health care provider, including the status of military treatment facilities and the total fees charged to such civilians from whom such medical debt was collected who did not possess medical insurance at the time of such treatment.
(B) A description of the extent to which the Secretary of Defense has implemented the recommendations of the Inspector General of the Department of Defense to improve collection of data pertaining to care at military medical treatment facilities and a description of the impact such implementation has had on such beneficiaries.

(C) A description of the extent to which the process used by managed care support contractors under the TRICARE program to adjudicate third-party liability claims is efficient and appropriate, including with respect to communication with such beneficiaries.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ‘‘TRICARE program’’ has the meaning given the term in section 1072 of title 10, United States Code.

SEC. 754. STUDY ON THE INCIDENCE OF CANCER AMONG COVERED INDIVIDUALS

The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall provide to a veteran read-only access to the documents of the veteran contained in the Individual Longitudinal Exposure Record of the Department of Veterans Affairs and a website of the Department of Defense through a website of the Department of Veterans Affairs and a website of the Department of Defense.

SEC. 755. STUDY ON THE INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS AND AVIATION SUPPORT PERSONNEL

(a) STUDY.—

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

(2) PHASE I.—

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

(B) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the findings of the initial phase of the study under this paragraph, including data from the Surveillance, Epidemiology, and End Results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(C) REPORT.—Not later than one year after the submittal of the report under paragraph (2)(B), if the Secretary conducts the second phase of the study under this paragraph, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the study conducted under this paragraph, including data from the Surveillance, Epidemiology, and End Results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—

The term ‘‘appropriate committees of Congress’’ means—

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

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

(2) ARMED FORCES.—The term ‘‘armed forces’’ has the meaning given the term in section 10101 of such title.

(3) COVERED INDIVIDUAL.—

The term ‘‘covered individual’’ means—

(A) an aviator or aviation support personnel who—

(i) served in the Armed Forces on or after February 1, 1961; and

(ii) receives benefits under chapter 55 of title 38, United States Code, as added by section 764 of title III of this Act.

(B) includes any air crew member of fixed-wing or rotary-wing aircraft of the United States Army, United States Navy, United States Marine Corps, or the Air Force.

(C) includes any air crew member of the United States Air Force Reserve or the Air Force National Guard.

(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. 756. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES

(a) IN GENERAL.—

(1) The Secretary of Veterans Affairs is amended by inserting at the end the following new subsection:

(IV) A description of the extent to which the recommendations of the Inspector General of the Department of Veterans Affairs have had an impact on such beneficiaries.

(2) PHASE II.—

(A) IN GENERAL.—If, pursuant to the initial phase of the study conducted under paragraph (1), the Secretary concludes that there is an increased incidence of cancers occurring for covered individuals, the Secretary shall conduct a second phase of the study under which the Secretary shall do the following:

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

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

(iii) Identify, for each covered individual, duty stations, dates of service, aircraft flown, and additional duties (including landing signals officer, catapult and arresting gear operator, air liaison officer, tactical air control party, or personnel associated with aircraft maintenance, supply, logistics, fuels, and other functions) that could have increased the risk of cancer for such covered individual.

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

(v) Identify all exposures due to service in the Armed Forces that are not related to aviation, such as exposure to burn pits or toxins in contaminated water, embedded in the soil, or inside bases with the surveillance, epidemiology, and end results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(B) DATA.—The Secretary shall format all data included in the study conducted under this paragraph, including data from the surveillance, epidemiology, and end results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(C) REPORT.—Not later than one year after the submission of the report under paragraph (2)(B), if the Secretary conducts the second phase of the study under this paragraph, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the study conducted under this paragraph, including data from the surveillance, epidemiology, and end results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(b) Definition.—The term ‘‘household member’’ means an individual related to a covered individual through marriage, blood, or adoption.

(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. 764. INCLUSION OF MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES 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:

(1)(I) Covered individual.

(i) In general.—The term ‘‘covered individual’’ means a veteran or a member of the reserve components of the Armed Forces who—

(A) is a veteran of service in the Armed Forces on or after September 11, 2001; and

(B) begins screening covered individuals for cancers described in clause (i).

(ii) Inclusion.—The term ‘‘covered individual’’ shall include a member of the reserve components of the Armed Forces who—

(A) is a veteran of service in the Armed Forces on or after September 11, 2001; and

(B) was actively serving in the Armed Forces at the time of the beginning of the screening described in clause (i).

(iii) Group.—The term ‘‘group’’ means—

(A) a group of 100 or more covered individuals; and

(B) any other group of covered individuals that the Secretary of Veterans Affairs determines is appropriate.

(iv) Covered individuals.—The term ‘‘covered individual’’ means—

(A) a veteran or member of the reserve components of the Armed Forces who—

(i) served in the Armed Forces on or after September 11, 2001; and

(ii) was actively serving in the Armed Forces at the time of the beginning of the screening described in clause (i); and

(B) any other covered individual that the Secretary of Veterans Affairs determines is appropriate.

(v) Group.—The term ‘‘group’’ means—

(A) a group of 100 or more covered individuals; and

(B) any other group of covered individuals that the Secretary of Veterans Affairs determines is appropriate.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this subchapter is amended by adding the following new heading:

‘‘Subsection D—Mental Health Services From Department of Veterans Affairs for Members of Reserve Components’’.

SEC. 765. EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING AND RELATED OUTPATIENT SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE 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 paragraph:

‘‘(D) In the case of a veteran or member of the reserve components of the Armed Forces who—

(i) served in the Armed Forces on or after September 11, 2001; and

(ii) began screening covered individuals for cancers 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. 766. 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’’.
(ii) by striking “veterans” each place it appears and inserting “covered individuals”; and
(iii) by striking “eligible veteran” and inserting “eligible individual”; and
(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”;
(ii) in the second sentence, by inserting “or members of the families of veterans” after “veterans”;
(G) in subsection (g), by striking “veterans” and inserting “covered individuals”; and
(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”; and
(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 (1)—
(I) by striking “veterans” and inserting “covered individuals”;
(J) by striking “veterans” and inserting “eligible veterans”;
(K) in subsection (k), by striking “veterans” and inserting “eligible individual”; and
(2) CLERICAL AMENDMENTS.—
(A) IN GENERAL.—Such section is further amended, 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. 765. 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 Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate and the Committees on Veterans’ Affairs and the Committee on Appropriations of 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—Industrial Base Matters
SEC. 801. POLICY RECOMMENDATIONS FOR IMPLEMENTATION OF EXECUTIVE ORDER 13806 (ASSESSING AND STRENGTHENING THE MANUFACTURING AND DEFENSE INDUSTRIAL BASE AND SUPPLY CHAIN RESILIENCE).
(a) SUBMISSION OF RECOMMENDATIONS TO SECRETARY OF DEFENSE.—In order to fully implement the July 21, 2017, Presidential Executive Order on Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency of the United States, not later than 540 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the Secretary of Defense a series of recommendations regarding the manufacturing industrial base, policies, and actions regarding the national security industrial base, including targeted policies and actions to ensure the resilience and sustainability of the national defense industrial base.
(b) SCOPE OF ASSESSMENT.—In developing the recommendations required under subsection (a), the Under Secretary shall assess—
(1) direct subsidies and investment in the economy;
(2) direct provision of credit and purchases of private sector bonds and equity; and
(3) prize-based technology challenges for critical research and development milestones;
(4) capital controls and dollar policy;
(5) trade policy, including export control policy, government acquisition policy, and targeted protectionist policies; and
(6) export restrictions and sanctions.
(c) OBJECTIVES.—The recommendations made pursuant to subsection (a) shall aim to—
(1) facilitate only high-value design, engineering, and manufacturing activities;
(2) expand the defense industrial base to include friendly and capable allies and partners;
(3) preserve the viability of domestic and international suppliers;
(4) include export and productivity incentives;
(5) accord with standing international trade law; and
(6) strengthen the domestic national security industrial base, especially in areas currently dependent on foreign suppliers.
(d) CONSULTATION.—In assessing the areas specified in subsection (b) and developing the recommendations required under subsection (a), the Under Secretary shall consult or inaugurate studies with, as appropriate, the National Economic Council, the Joint Industrial Base Working Group, the Defense Science Board, the Defense Innovation Board, the National Academy of Sciences, the National Academy of Engineering, the National Academy of Public Administration, the National Academy of Management, the United States Chamber of Commerce, the National Security Industrial Association, the National Economic Council, and the National Security Industrial Association.
(e) SUBMISSION OF RECOMMENDATIONS TO PRESIDENT.—Not later than 30 days after receiving the recommendations required under subsection (a), the Secretary of Defense shall submit the recommendations, together with any additional views or recommendations of the President, the Office of Management and Budget, the National Security Council, and the National Economic Council.
(f) SUBMISSION OF RECOMMENDATIONS TO CONGRESS.—Not later than 540 days after submitting the recommendations to the President under subsection (e), the Secretary of Defense shall submit the recommendations to the Secretaries of the Armed Services and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives and the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives pertaining to the outcome of such assessment.
(b) ELEMENTS.—The assessment required under subsection (a) shall review the following matters as they pertain to the innovative and manufacturing capacity of the national technology and industrial base:

(1) Competition and antitrust policy.

(2) Immigration policy, including the policies germane to the attraction and retention of skilled immigration.

(3) Graduate education funding and policy.

(4) Demand stabilization and social safety net policies.

(5) The structure and incentives of financial markets and businesses’ access to credit.

(6) Trade policy, including export control policy.

(7) The tax code and its effect on investment, including the Federal research and development tax credit.

(8) Federal regulation of critical economic sectors, land use, environment review, and construction and manufacturing activities.

(9) National economic and manufacturing infrastructure.

(10) Intellectual property reform.

(11) Federally funded investments in the economy, including research and development and manufacturing.

(12) Federally funded procurement of goods and services.

(13) Federally funded investments to expand domestic manufacturing capabilities.

(c) ENGAGEMENT WITH CERTAIN ENTITIES.—In conducting the assessment required under subsection (a), the Secretary of Defense shall engage through appropriate mechanisms with the Defense Science Board, the Defense Innovation Board, the Defense Business Board, academic experts, commercial industry, and federally funded research and development centers.

(d) SUBMISSION OF ASSESSMENT.—Not later than 30 days after receiving the assessment and recommendations under subsection (a), the Secretary of Defense shall submit the assessment to the congressional defense committees.

(e) RECOMMENDATIONS.—(1) General.—The Secretary of Defense shall submit recommendations for legislative, executive, and regulatory actions to the congressional defense committees.

(2) Division of recommendations.—(A) RELATIONSHIPS BETWEEN MEMBERS.—The Secretary of Defense shall divide the recommendations into two categories:

(i) Short-term recommendations.

(ii) Long-term recommendations.

(B) ESTABLISHMENT.—The Secretary of Defense shall, as part of the assessment submitted under paragraph (1), identify a plan to implement recommendations within two years.

(C) Timing.—The Secretary of Defense shall submit the recommendations not later than 180 days after receiving the assessment and recommendations under subsection (a).

SEC. 804. MODIFICATION OF FRAMEWORK FOR MODERNIZATION ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.

Sec. 2509 of title 10, United States Code, as added by section 84(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(1) in subsections (b)(2) and (c)(1) (A) (i) in clause (x), by striking ‘‘, such as those identified through the Department of Defense’s supply chain risk management process and by the Federal Acquisition Security Council, and’’ after ‘‘supply chain risks’’; and

(ii) in clause (xii), by striking ‘‘other than optical transmission components’’;

(2) in subparagraph (A), in clause (x), by striking ‘‘; and’’ and inserting a semicolon;

(3) by redesigning clause (x) as clause (xii); and

(4) by inserting after clause (x) the following new clause:

(i) in clause (x), by striking ‘‘; and’’ and inserting a semicolon.

Section 2509 of title 10, United States Code, as added by section 84(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(A) in paragraph (1), by striking ‘‘any other recommendations’’ and inserting the following:

‘‘(1) ESTABLISHMENT.—The Chairman of the National Defense Industrial Association shall establish a mechanism for national technology and industrial base regulatory activities, including an assessment of the national technology and industrial base that would be addressed by inclusion of such additional member nation; and

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

‘‘(3) specific areas in the industrial bases of current member nations that would likely be impacted by additional competition if such additional nation were included in the national technology and industrial base; and

(C) analysis of other factors as determined relevant by the Secretary.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall provide legislative proposals to Congress to add new nations to the national technology and industrial base.

(B) ELEMENTS.—Proposals submitted pursuant to subparagraph (A) shall include the following elements:

(i) A summary of the analyses performed pursuant to subsection (d). (ii) A set of metrics to assess the national security and economic benefits that such inclusion is expected to accrue to entities within the United States and allied nations.

(3) REPORT.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report with recommendations regarding whether to include in the national technology and industrial base each country with which the United States maintains a mutual defense treaty, a reciprocal defense procurement agreement, or other defense cooperation agreement. The report shall be based on assessments conducted using the process established under paragraph (1) and shall include, for each country recommended for inclusion, the information specified in paragraph (3)(B).

SEC. 805. MODIFICATION OF FRAMEWORK FOR MODERNIZATION ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.
"(1) limitations and acquisition guidance relevant to the national technology and industrial base (as defined in section 2500(1) of this title);

"(2) strategies and acquisition guidance relevant to section 2533a of this title;

"(3) the Industrial Base Analysis and Sustainment program, including direct support and related activities;

"(4) the Small Business Innovation Research program;


"(6) the Trusted Capital Marketplace program;

"(7) programs in the military services."

and

(2) in subsection (f)(2), by inserting "and supporting policies, procedures, and guidance" after "pursuant to subsection (b)"

SEC. 805. ASSESSMENTS OF INDUSTRIAL BASE CAPABILITIES AND CAPACITY.

(a) Assessments.—The Secretary of Defense shall define intelligence and other information requirements, sources, and organizations responsible for assessing foreign adversary technological and industrial bases and conducting comparative analyses of such technological and industrial bases. The requirements, sources, and responsibilities shall include—

(1) examining the competitive advantages foreign adversaries are pursuing, including with respect to regulation, raw materials, educational capacity, labor, and capital accessibly;

(2) assessing relative cost, speed of product development, and value of the installed capital base, leadership's technical competence and agility, nationally imposed inhibiting conditions, the availability of human capital, raw materials, and the burdens of government oversight;

(3) a temporal evaluation of the competitive strengths and weaknesses of United States industry, including manufacturing surge capacity, versus the directed priorities and capabilities of foreign adversary governments; and

(4) assessing any other issues that the Secretary of Defense determines appropriate.

(b) Methodology.—The Deputy Assistant Secretary of Defense for Industrial Policy shall establish the terms, conditions, and processes pursuant to subsection (a) as part of a methodology to continuously assess domestic and foreign industries, markets, and companies of significance to military and industrial advantage to identify supply chain vulnerabilities.

(c) Report.—

(1) In general.—Not later than March 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on efforts to establish the continuous assessment required under subsections (a) and (b).

(2) Elements.—The report submitted under paragraph (1) shall include a consideration of whether it would be appropriate to task some of the assessment work to an organization independent of the Department, and any recommendations regarding which organization should perform such work.

SEC. 806. ANALYSES OF CERTAIN MATERIALS AND TECHNOLOGY SECTORS FOR PURSUING Diversification and Industrial Capacity.

(a) Analyses Required.—

(1) In general.—The Secretary of Defense, acting through the Undersecretary for Acquisition and Sustainment and other appropriate officials, shall review the materials, processes, and technology sectors under subsection (b) to identify and develop appropriate actions, consistent with the policies, programs, and activities required under chapter 148 of title 10, United States Code, including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base required under section 2500(1) of title 10, United States Code;

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment to expand capacity or diversifying sources of supply or alternative approaches to addressing military requirements, through use of research and development to ensure availability and acquisition authorities;

(C) taking a combination of actions described under subparagraphs (A) and (B); or

(D) taking no actions, restrictions, or additional investment.

(2) Considerations.—The analyses conducted pursuant to paragraph (1) shall consider—

(A) the annual report to Congress required under section 2504 of such title;

(B) the annual report to Congress required under section 2504a of such title;

(C) the annual report to Congress required under section 2506 of such title;

(D) the annual report to Congress required under section 2506a of such title;

(E) the annual report to Congress required under section 2508 of such title;

(F) the annual report to Congress required under section 2509 of such title;

(G) the Department of Defense technology and industrial base policy guidance prescribed under section 2506 of such title;

(H) activities to modernize acquisition processes to ensure integrity of industrial base policy guidance prescribed under section 2506 or such title;

(I) defense memoranda of understanding and related agreements made by the secretary of defense under section 2531 of such title;

(J) increasing restrictions, where a domestic non-availability determination has been made.

(2) Critical technologies identified in the National Defense Strategy.

(3) Technologies and sectors identified in reports required regarding the defense industrial base.

(4) Microelectronics.

(5) Printed circuit boards and other electronic components.

(6) Pharmaceuticals.

(7) Medical devices.

(8) Personal protective equipment.

(9) Rare earth materials.

(10) Synthetic graphite.

(11) Cordierite and rayon carbon fibers.

(12) Aluminum.

SEC. 807. MICROELECTRONICS MANUFACTURING STRATEGY.

(a) In General.—Not later than January 1, 2021, in consultation with the Secretary of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Director of the Defense Advanced Research Projects Agency, the Secretary shall submit to the Under Secretary of Defense for Industrial Policy and the Chairman of the Joint Chiefs of Staff a strategy to manufacture state-of-the-art integrated circuits in the United States within a period of three to five years that includes a plan to explore and evaluate options for re-establishing microelectronics foundry services and the industrial capabilities associated with such services.

(b) Elements.—In developing the strategy required under subsection (a), the Under Secretary shall consider—

(1) multiple models of public-private partnerships to execute the strategy;

(2) processes and criteria for competitive selection of commercial facilities, including companies headquartered in allied and partner countries, to provide design, foundry and assembly, and packaging services and to build and operate the industrial capabilities associated with such services;

(3) the role of the broader Federal Government should play in organizing and supporting the strategy, including required direct or indirect funding support, or legislative and regulatory actions, including restructuring procurements to domestic sources, and providing anti-trust and export control relief;

and

(4) all potential funding sources and mechanisms for initial and sustaining investment.

(c) Submission of Strategy to President.—Not later than February 1, 2021, the Secretary shall submit the strategy to the President, the National Security Council, and the National Economic Council.

(d) Briefing.—Not later than March 1, 2021, the Secretary of Defense shall submit the strategy to and brief the congressional defense committees on the strategy and the Secretary's recommendations.

SEC. 808. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

(a) Purchases.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall require for new contracts or other acquisition activities that contractors, or subcontractors at any tier, that provide covered printed circuit boards for use by the Department of Defense certify that, of the total value of the covered printed circuit boards provided by the contractor or subcontractor pursuant to a contract or subcontract with the Department of Defense, not less than the percentages set forth in subsection (b) were manufactured and assembled within a covered nation.

(b) Implementation.—

(1) Establishment of Required Percentages.—Establishing the participation process under subsection (a), the Secretary shall establish and publish increasing percentages of values of the covered printed circuit boards provided by contractors and subcontractors at a covered nation to be supplied with by appropriate contractors and subcontractors, based on—

(A) assessment of covered nation capacity to supply printed circuit boards, over time;

(B) assessment of threats to national security capabilities from use of printed circuit boards from non-covered nations;

(C) economic benefitsivant to non-covered nations which would otherwise be accrued by covered nations;

(D) achieving a goal of production of 100 percent of manufactured and assembled of printed circuit boards in covered nations within ten years; and

(E) other criteria as determined appropriate.

(2) Minimum Percentages.—The percentages established by the Secretary under this subsection shall, in any case, be equal to or otherwise provided for by the Secretary for an individual contract or subcontract—

(A) 25 percent by October 1, 2023;

(B) 75 percent by October 1, 2028; and

(C) 100 percent by October 1, 2032.
(3) **LIMITED EXCEPTIONS.**—If the Secretary of Defense directs that a specific contract or subcontract is required to comply with a different percentage than those prescribed under this section, the Secretary shall notify the congressional defense committees not later than 30 days after such direction is issued, along with a rationale for the change.

(c) **REMEDIATION.**—In the event that a contractor or subcontractor is unable to complete the certification required under subsection (a) or (b), the Secretary may accept a remediation plan.

(2) **the term ''covered printed circuit board'' means any printed circuit board that—**

(a) determines that covered printed circuit boards from which—

(i) (A) meet the requirements of subsection (a) and

(ii) (B) meet the requirements of subsection (a)

(b) waive the requirement for certification, and the Secretary may grant such a waiver, if the Secretary has determined that—

(i) the contractor or subcontractor is unable to comply with all relevant cybersecurity provisions relating to members of the defense industrial base, including section 244 of the National Defense Authorization Act for Fiscal Year 2020; and

(3) the waiver is required to support national security needs, particularly with respect to acquisitions of commercial items.

(e) **AVAILABILITY AND COST EXCEPTIONS.**—Subsection (a) shall not apply to the extent that the Secretary of Defense or the Secretary of the military department concerned determines that covered printed circuit boards of satisfactory quality and sufficient quantity, in the required form, cannot be procured at a price and terms that are reasonable, excluding comparisons with non-market economies, or in time to meet an operational requirement.

(f) **DEFINITIONS.**—In this section—

(1) the term “covered printed circuit board” means any printed circuit board that is—a—

(A) noncommercial item; or

(B) commercial or commercially available off-the-shelf item that transmits or stores national security sensitive information for—

(i) telecommunications; (ii) data communications; (iii) data storage; (iv) medical applications; (v) networking; (vi) fifth-generation cellular communications; (vii) computing; (viii) radars; (ix) munitions; or (x) any other system that the Secretary of Defense determines should be covered under this section; and

(2) the term “covered nation” means—

(A) the United States; (B) a nation that has agreed, in compliance with section 36 of the Arms Export Control Act (22 U.S.C. 2776) and section 2457 of title 16, United States Code—the United States; (C) Japan; (D) Korea, that the Secretary designates, upon a determination by the Department of Defense that accepting covered printed circuit boards from the contractor or subcontractor is unable to comply with all relevant cybersecurity provisions relating to members of the defense industrial base, including section 244 of the National Defense Authorization Act for Fiscal Year 2020; and

(4) the term “commercial item” means any acquired by agreement with the Department of Defense that is not reliant upon unsecure sources of supply of strategic and critical minerals and metals.

(a) **STATEMENT OF POLICY.—**It is the policy of the United States that the Department of Defense shall pursue the following goals:

(1) Ensure, by 2030, secure sources of supply of strategic minerals and metals that will—

(A) fully meet the demands of the domestic defense industrial base; (B) eliminate the dependence of the United States on unsecure sources of supply of strategic minerals and metals; and (C) ensure that, as a defense of Defense is not reliant upon unsecure sources of supply for the processing or manufacturing of any strategic mineral and metal deemed essential to national security by the Secretary of Defense.

(2) Provide incentives for the defense industrial base to develop robust processing and manufacturing capacity in the United States to refine strategic minerals and metals for Department of Defense purposes.

(3) Maintain secure sources of supply of strategic minerals and metals required to maintain current military requirements in the event that international supply chains are disrupted.

(4) Achieve the goals described in paragraphs (1) through (3) through, among other methods—

(A) the continued and expanded use of existing programs, such as the National Defense Stockpile administered by the Defense Logistics Agency; and (B) the continued use of authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.).

(b) **STRATEGIC MINERALS AND METALS.—**For purposes of this section, strategic minerals and metals include critical minerals, as defined pursuant to Executive Order 13817.

SEC. 810. REPORT ON STRATEGIC AND CRITICAL MINERALS AND METALS. (a) **REPORT REQUIRED.**—Not later than June 30, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of a study, conducted for purposes of this section, concerning strategic and critical minerals and metals and vulnerabilities in supply chains of such minerals and metals.

(b) **STRATEGIC AND CRITICAL MINERALS AND METALS.—**For purposes of this section, strategic and critical minerals and metals are minerals and metals, including rare earth elements, that are necessary to meet national defense requirements, including supply chain resiliency, and for the economic security of the United States.

(c) **STABILIZATION OF SHIPBUILDING INDUSTRIAL BASE WORKFORCE.**

(a) **SENSE OF CONGRESS.—**It is the sense of Congress that the Department of the Navy must explore and identify solutions, in consultation with the Department of Labor, to ensure a capability to secure the shipbuilding industrial base workforce.

(b) **WORKING GROUP TO STABILIZE SHIPBUILDING INDUSTRIAL BASE WORKFORCE.**—The Secretary of the Navy shall form a working group with the Secretary of Labor for the purpose of enhancing...
integration of programs, resources, and expertise to strengthen the shipbuilding industrial base, as well as to provide recommendations to Congress, to better stabilize the shipbuilding industrial base, and to determine appropriate solutions for workforce fluctuations.

2) Duties—The working group shall carry out the following duties related to the ongoing challenges with workforce stability:

(A) Analyze existing Department of the Navy contracts with the shipbuilding industry and information that can help anticipate future employment trends and tailor workforce resources and opportunities for workers most vulnerable to upcoming workforce fluctuations.

(B) Identify existing Department of Labor programs for unemployed, underemployed, and furloughed employees that could be tailored to meet the shipbuilding industrial base workforce during times of workload fluctuations and workforce instability, and explore potential partnerships to connect employees with appropriate resources.

(C) Explore possible cost sharing agreements to enable the Department of the Navy to contribute resources to existing Department of Labor workforce programs to support the shipbuilding workforce.

(D) Examine possible programs that will specifically address unemployed, underemployed, or furloughed employees to provide work-related opportunities for workers most vulnerable to upcoming workforce fluctuations.

(E) Review existing training programs for the shipbuilding workforce to maximize relevant training opportunities that could broaden employee skillset during times of unemployment, underemployment, or furlough, where applicable.

(F) Explore opportunities for unemployed, underemployed, or furloughed employees to provide workforce training through temporary partnerships with States, technical schools, community colleges, and other local workforce development opportunities.

(G) Review additional or new contracting authorities that could enable the Department of the Navy to award short-term, flexible contracts that will prioritize work for unemployed, underemployed, or furloughed employees within the shipbuilding workforce.

(H) Study cross-State credentialing requirements and identify any restrictions that may delay the capability of the shipbuilding workforce to seek employment opportunities across State lines, and make recommendations to streamline licensing, credentialing, certification, and qualification requirements within the shipbuilding industry.

Section 234 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraphs (2) through (5); and

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

"(2) COMPONENTS FOR NAVAL VESSELS.—

(A) Vessel thrusters with a diameter of six feet or more.

(B) The following components of vessels, to the extent they are unique to marine applications:

"(1) Gyrocompasses, electronic navigation chart systems, steering controls, propulsion and machinery control systems, and totally enclosed lifeboats;"

(C) by redesigning paragraph (6) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking "(k)" and inserting "(j)";

(2) in subsection (b)—

(A) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(B) in paragraph (2), as redesignated by subparagraph (A), by striking "subsection (a)(3)(A)(iii)" and inserting "subsection (a)(2)(B)";

(3) in subsection (c)—

(A) by striking "ITEMS." and all that follows through "and all that follows through "Subsection (a) does not apply to purchases...".

(B) by striking subparagraphs (A), (B), (C), and (D) of subsection (a);

(C) by redesigning paragraph (6) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking "(k)" and inserting "(j)";

(3) in subsection (c)—

(A) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(B) in paragraph (2), as redesignated by subparagraph (A), by striking "subsection (a)(3)(A)(iii)" and inserting "subsection (a)(2)(B)";

(6) in subsection (i)(3), by striking "Acquisition, Technology, and Logistics" and inserting "Acquisition and Sustainment;"

(7) by striking subsection (j); and

(8) by redesigning the first subsection designated subsection (k) as subsection (j).

SEC. 812. MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

SEC. 813. IMPROVING THE OVERALL SECURITY OF TRACKERS IN NATIONAL SECURITY SATELLITES.

(a) In General.—Except as provided in subsection (b), no executive of the Department of Defense who approves a contract for a national security satellite after October 1, 2021, shall require any star tracker to be designed or such national security satellite to be domestically sourced.

(b) Exclusion.—The application of subsection (a) may be waived if the acquisition executive certifies in writing that—

(1) there is no available domestically sourced star tracker that meets the national security satellite systems mission and design requirements;

(2) the cost of the available domestically sourced star tracker system is unreasonably priced based on a market survey; or

(3) an urgent and compelling national security interest exists to necessitate a foreign-made star tracker.

(c) NATIONAL SECURITY SATELLITE DEFINED.—In this section, "national security satellite" means a satellite (and its equipment) the purpose of which is to support the national security needs of the United States Government.

SEC. 814. MODIFICATION TO SMALL PURCHASE THRESHOLD REQUIREMENTS FOR CERTAIN ARTICLES.

SEC. 815. REPORT ON ACQUISITION RISK ASSESSMENT AND MITIGATION AS PART OF ADAPTIVE ACQUISITION FRAMEWORK IMPLEMENTATION.

(a) SERVICE ACQUISITION EXECUTIVES INPUT.—The Service Acquisition Executives shall report to the Secretary of Defense, the Under Secretary of Acquisition, Technology, and Logistics, the Under Secretary of Defense for Research and Engineering, and the Chief Information Officer of the Department of Defense how they are assessing, mitigating, and reporting on the following risks in acquisition programs:

(1) Technical risks in engineering, software, manufacturing and testing.

(2) Integration and interoperability risks, including complications related to systems working across multiple domains while using legacy learning and data science capabilities to continuously change and optimize system performance.

(3) Operations and sustainment risks, including as mediated by access to technical data and intellectual property rights.

(4) Workforce and training risks, including consideration of the role of contractors as part of the total workforce.

(5) Supply chain risks, including cybersecurity, foreign control and ownership of key elements of supply chains, and the consequences of a fragile and vulnerable defense industrial base, combined with barriers to industrial cooperation with allies and partners and the exclusion of US firms.

(b) REPORT TO CONGRESS.—Not later than March 31, 2021, the Under Secretary of Defense for Acquisition and Sustainment shall submit to Congress a report including—

(1) the input received from the Service Acquisition Executives pursuant to subsection (a); and

(2) the views of the Under Secretary with respect to the matters described in paragraph (1) through subsection (d).

SEC. 816. CONTROLLER GENERAL REPORT ON IMPLEMENTATION OF SOFTWARE ACQUISITION REFORMS.

(a) In General.—Not later than March 15, 2021, the Comptroller General of the United States shall brief the congressional defense
committees on the implementation by the Department of Defense of required acquisition reforms with respect to acquiring software for weapon systems, business systems, and other systems that are part of the defense acquisition system, with a report, or reports, to follow as agreed upon by the committees and the Comptroller General.

(b) ELEMENTS.—The briefing and report, or reports, required under subsection (a) shall include an assessment of the extent to which the Department of Defense has implemented requirements related to the following:


(2) Software acquisition activities pursuant to section 2380c of title 10, United States Code (related to consideration of certain matters during the acquisition of non-commercial computer software), section 875 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; pilot program for open source software), and section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, related to continuous integration and delivery of software applications and upgrades to embedded systems).

(3) Software acquisition pilots, including the pilot program pursuant to section 873 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; relating to the iterative development methods that tailor major software-intensive warfighting systems and defense business systems) and the pilot program pursuant to section 874 of such Act (relating to using agile best practices for software development).

(4) ASSESSMENT OF ACQUISITION POLICY, GUIDANCE, AND PRACTICES.—Each report under subsection (a) should include an assessment of the extent to which Department of Defense acquisition policy, guidance, and practices reflect implementation of relevant recommendations from related studies, pilot programs, and directives from the Comptroller General.

(5) MODIFICATION OF REQUIREMENTS FOR COMPETITOR GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND INITIATIVES.—Section 2229(b)(2) of title 10, United States Code, is amended by striking “a summary of organizational and legislative changes and emerging assessment methodologies since the last assessment, and a discussion of the implications” and inserting “a discussion of selected organizational, policy, and legislative changes, as determined appropriate by the Comptroller General, and the potential implications”.

(6) DEFENSE ACQUISITION SYSTEM DEFINITION.—The term ‘defense acquisition system’ has the meaning given that term in section 2545(3) of title 10, United States Code.

Subtitle C—Amendments to General Contracts, Commercial Products and Services, and General Solicitation Competitive Procedures

SEC. 841. AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL PRODUCTS AND SERVICES USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section: “2380c. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.

(1) AUTHORITY.—The Secretary of Defense may acquire innovative commercial products and services through the competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) TREATMENT AS COMPETITIVE PROCEDURES.—Use of a general solicitation competitive procedures under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 238 of title 10, United States Code.

(3) NOTWITHSTANDING SECTION 2375(b) OF THIS TITLE, PARTS OF A SYSTEM ACQUIRED USING THE AUTHORITY UNDER SUBSECTION (A) SHALL BE TREATED AS COMMERCIAL PRODUCTS AND SERVICES.

(4) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Not later than 45 days after the award of a contract for an amount exceeding $100,000,000 using the authority under subsection (a), the Secretary of Defense shall notify the congressional defense committees of such award.

(5) NOTICE OF AN AWARD UNDER PARAGRAPH (4) SHALL INCLUDE THE FOLLOWING:

(A) DESCRIPTION OF THE INNOVATIVE COMMERCIAL PRODUCT OR SERVICE ACQUIRED.

(B) DESCRIPTION OF THE REQUIREMENT, CAPABILITY GAP, OR POTENTIAL TECHNOLOGICAL ADVANCEMENT WITH RESPECT TO WHICH THE INNOVATIVE COMMERCIAL PRODUCT OR SERVICE ACQUIRED PROVIDES A SOLUTION OR A POTENTIAL NEW CAPABILITY.

(C) AMOUNT OF THE CONTRACT AWARDED.

(D) IDENTIFICATION OF CONTRACTOR AWARDED THE CONTRACT.

(E) INNOVATIVE DEFINED.—In this section, the term ‘innovative means—

(1) any technology, process, or method, including research and development, that is new as of the date of submission of a proposal; or

(2) any application that is new as of the date of submission of a proposal of a technology, process, or method existing as of such date.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of title 10, United States Code, is amended by inserting the following new item:

‘‘(2) in subparagraph (C), by striking ‘‘subcontract if the contract if—’’ and all that follows through ‘‘price of the subcontract is expected to exceed $2,000,000.’’; and

(3) in subparagraph (D), by striking ‘‘subcontract if—’’ and all that follows through ‘‘price adjustment is expected to exceed $2,000,000.’’.

SEC. 842. REVISION OF PROOF REQUIRED WHEN USING AN EVALUATION FACTOR FOR DEFENSE CONTRACTORS EMPLOYING OR SUBCONTRACTING WITH MEMBERS OF THE RESERVE COMPONENTS OF THE ARMY, NAVY, AIR FORCE, AND COAST GUARD.

(a) IN GENERAL.—Section 853 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 116–92, related to continuous integration and delivery of software applications and upgrades to embedded systems).

(b) REPEAL OF OBSOLETE AUTHORITY.—Section 679 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby repealed.

SEC. 843. TRUTH IN NEGOTIATIONS ACT THRESHOLD OF DEPARTMENT OF DEFENSE CONTRACTS.

Section 2306(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ‘‘contract if’’ and all that follows through clause (iii) and inserting ‘‘contract if the price adjustment is expected to exceed $2,000,000.’’;

(2) by striking ‘‘section and—’’ and all that follows through clause (iii) and inserting ‘‘section and the price of the subcontract is expected to exceed $2,000,000.’’;

(3) in subparagraph (D), by striking ‘‘subcontract if—’’ and all that follows through ‘‘price adjustment is expected to exceed $2,000,000.’’;

SEC. 844. CONTRACT AUTHORITY FOR ADVANCED DEVELOPMENT OF INITIAL OR ADDITIONAL PROTOTYPE UNITS.

(a) IN GENERAL.—Section 2302e of title 10, United States Code, is amended—

(1) in the heading, by striking ‘‘advanced development’’ and inserting ‘‘development and demonstration’’; and

(2) in subsection (a)(1), by striking ‘‘provisions of advanced component development, prototype, and inserting ‘‘development and demonstration’’.

(b) AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by striking the item relating to section 2302e and inserting the following new item:

‘‘2302e. Contract authority for development and demonstration of initial or additional prototype units.’’.

SEC. 845. DEFINITION OF BUSINESS SYSTEM DEFICIENCIES FOR CONTRACTOR BUSINESS SYSTEMS.

(a) AUTHORITY.—Section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–388; 10 U.S.C. 2302 note) is hereby amended—

(1) by striking ‘‘significant deficiencies’’ both places it appears and inserting ‘‘material weaknesses’’;

(2) by striking ‘‘significant deficiency’’ each place it appears and inserting ‘‘material weakness’’;

(b) MODIFICATION OF REQUIREMENTS FOR COMPETITOR GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND INITIATIVES.—Section 2229(b)(2) of title 10, United States Code, is amended by striking “a summary of organizational and legislative changes and emerging assessment methodologies since the last assessment, and a discussion of the implications” and inserting “a discussion of selected organizational, policy, and legislative changes, as determined appropriate by the Comptroller General, and the potential implications”.

(c) DEFENSE ACQUISITION SYSTEM DEFINITION.—The term ‘defense acquisition system’ has the meaning given that term in section 2545(3) of title 10, United States Code.

Subtitle D—Provisions Relating to Major Defense Acquisition Programs

SEC. 861. IMPLEMENTATION OF MODULAR OPEN SYSTEMS ARCHITECTURE REQUIREMENTS.

(a) PROVISIONS TO PROMOTE MODULAR OPEN SYSTEMS ARCHITECTURE REQUIREMENTS.

(b) IMPLEMENTATION OF MODULAR OPEN SYSTEMS ARCHITECTURE REQUIREMENTS.

(c) PROVISIONS TO PROMOTE MODULAR OPEN SYSTEMS ARCHITECTURE REQUIREMENTS.
Cross Functional Team under the supervision of the Defense Department Chief Information Officer and the Joint Staff Director for Command, Control, Communications, and Computers/Cyber, shall prescribe regulations, or program management mechanisms; and

(b) fully meet the intent of chapter 141B of title 10, United States Code; and

(c) advance the Department's efforts to generate diverse and recomposable kill chains.

(2) ELEMENTS.—The regulations and guidance required in subsection (a)(1) shall include, at a minimum:

(A) requirements that each relevant program office characterizes the desired modularity of the system for which it is responsible, either, in the case of major defense acquisition programs, in the acquisition strategy required under section 2363a of title 10, United States Code, or, in the case of other programs, via other documentation, including:

(i) specification of which system, major subsystems, and major components should be able to execute without requiring coincident execution of other systems, major subsystems, and major components; and

(ii) a default configuration specifying which system, major subsystems, and major components should communicate with other systems, major subsystems, and major components; and

(iii) specification of what information should be communicated, the method of the communication, and the desired function of the communication;

(B) requirements that relevant Department of Defense contracts include mandates for the delivery of system, major subsystem, and major component software-defined interfaces for systems, major subsystems, and major components deemed relevant in the acquisition strategy or documentation referred to in subsection (a)(2)(a), including:

(i) interface syntax and properties, specifically governing how values are validly passed and received between major subsystems and components, in machine-readable form;

(ii) a machine-readable definition of the relationship between the delivered interface and existing common standards or interfaces available in public repositories referenced in subsection (c), if appropriate and available, using interface field transform technology developed under the Defense Advanced Research Projects Agency System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) program or technology that is functionally similar in order to:

(III) documentation with functional descriptions of software-defined interfaces, conveying semantic meaning of interface elements, such as the function of a given interface field;

(C) requirements that relevant program offices, including those responsible for maintaining legacy systems, that have awarded contracts that do not include the requirements specified in subparagraph (B) of paragraph (2) nevertheless acquire the items specified in clauses (i) through (iii) of such subparagraph, either through contractual updates, separate negotiations or contracts, or program management mechanisms; and

(D) requirements that program offices deliver these interfaces and the associated documentation to the controlled repository established under subsection (c).

(3) APPLICABILITY OF REGULATIONS AND GUIDANCE.—

(A) APPLICABILITY.—The regulations and guidance required under subsection (a)(1) shall apply, at a minimum, to program offices responsible for the prototyping, acquisition, or development of existing cyber-physical weapon systems with software-defined interfaces, or with major subsystems or components with software-defined interfaces, developed or to be developed, wholly or in part with Federal funds, including those applicable program offices using other technologies (OTA).

(B) EXTENSION OF SCOPE.—One year after the promulgation of the regulations and guidance required under subsection (a)(1) for existing cyber-physical weapon systems, the Under Secretary of Defense for Acquisition and Sustainment shall extend the regulations and guidance to apply to purely software systems, including business systems and cybersecurity systems.

(C) INCLUSION OF SUBSYSTEMS AND COMPONENTS.—The major subsystems and components covered under paragraph (2)(A) shall include all subsystems and components covered by contracts; and

(D) LIMITATION ON REGULATIONS.—The regulations prescribed pursuant to paragraph (1) may not:

(1) impair any right of the United States or of any contractor or subcontractor with respect to patents or copyrights or any other right in software otherwise established by law;

(2) impair the right of a contractor or subcontractor to charge third party a fee or royalty for the use of software pertaining to an item or process developed exclusively at private expense by the contractor or subcontractor or except as otherwise specifically provided by law.

(3) ELEMENTS.—Such regulations shall include the following provisions:

(A) in the case of a software interface that is developed by a contractor or subcontractor exclusively with Federal funds (other than an item developed under a contract or subcontract between a contractor and a recipient) and contract section 9(j)(2) of the Small Business Act (15 U.S.C. 638(j)(2)) apply), the United States shall have the unlimited and non-expiring right to use the software or release or disclose the software to persons outside the government or permit the use of the software by such persons.

(B) In the event a software interface is developed in part with Federal funds and in part at private expense and except in any case in which the Secretary of Defense determines that in such software would be in the best interest of the United States, the Government—

(i) shall have Government-purpose rights to the software; and in addition, may release or disclose the software interface, or authorize others to do so, if—

(ii) prior to release or disclosure, the intended recipient is a Government contractor receiving access to the interface for the performance of a Government contract; and

(iii) the intended use is for the purpose of system, major subsystem, and major component segregation, interoperability, integration, or reintegration; and

(iv) the Government shall not authorize others to use, interface software for commercial purposes.

In the case of a software interface that is developed exclusively at private expense, the Government shall negotiate with the contractor or the subcontractor to best ensure that Government-use and non-disclosure rights to the software interface and rights to release or disclose the software interface, or authorize others to do so, if—

(i) prior to release or disclosure, the intended recipient is subject to an exclusive for-Government-use and non-disclosure agreement; and

(ii) the intended recipient is a Government contractor receiving access to the interface for the performance of a Government contract; and

(iii) the intended use is for the purpose of system, major subsystem, and major component segregation, interoperability, integration, and reintegration.

(d) INTERFACE REPOSITORY.—

(1) ESTABLISHMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall establish and maintain, at the appropriate classification level, an interface repository for interfaces, syntax and proprieties, documentation, and communication implementations developed to the requirements established under subsection (a)(2)(B) and shall provide interfaces, access to interfaces, and relevant documentation to the military services, defense agencies and field activities, combatant commands, and contractors, as appropriate, to facilitate system, major subsystem, and major component segregation and reintegration.

(2) DISTRIBUTION OF INTERFACES.—Consistent with section 2363 of title 10, United States Code, and in accordance with subsection (b), the Under Secretary of Defense for Acquisition and Sustainment may distribute interfaces, access to interfaces, and relevant documentation to Government entities, contractors, or subcontractors upon written request for transfer or disclosure by the Government to a recipient is limited to only those data necessary for segregation, interoperability, integration, or reintegration.

(3) SYSTEM OF SYSTEMS INTEGRATION TECHNOLOGY AND EXPERIMENTATION.—

(A) DEMONSTRATIONS AND ASSESSMENT.—No later than one year after the date of the enactment of this Act, the Joint Staff Director for Command, Control, Communications, and Computers/Cyber and Department of Defense Chief Information Officer, through the Joint All Domain Command and Control Cross Functional Team, shall conduct demonstrations and complete an assessment of the technologies developed under the Defense Advanced Research Projects Agency’s System of Systems Integration Technology and Experimentation program, including the STITCHES technology, and their applicability to the Joint All-Domain Command and Control architecture. The demonstrations and assessment shall be conducted:

(i) at least three demonstrations of the use of the STITCHES technology to create, under constrained schedules and budgets, a distributed and interoperable system involving incompatible weapon systems, sensors, and command, control, and communication systems...
from multiple military services in cooperation with United States Indo-Pacific Command or United States European Command; (B) an evaluation as to whether the communication means via the STITCHES technology are sufficient for military missions and whether the technology results in any substantial performance loss in communication systems, major subsystems, and major components; (C) an evaluation as to whether the STITCHES technology obviates the need to develop communication means to maintain interoperability to common communication and interface standards for Department of Defense systems; (D) the appropriate roles and responsibilities of the Department of Defense Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, the geographic combatant commands, the military services, the Defense Advanced Research Projects Agency, and the defense industrial base in using and maintaining the STITCHES technology to generate diverse and recomposable kill chains as part of the Joint All-Domain Command and Control architecture; and (E) coordination with the program manager for the Time Sensitive Targeting Deact (1) DESIRED MODULARITY.—The term ‘‘desired modularity’’ means the capability of (2) TRANSFER OF RESPONSIBILITY FOR the Department’s business systems and cybersecurity tools. This assessment shall include— (A) demonstrations of the use of the STITCHES technology in enabling communication between business systems; (B) in coordination with the Cross Functional Team under the Principal Cyber Adviser and the Integrated Adaptive Cyber Defense program office of the National Security Agency, at least two demonstrations of the use of the STITCHES technology in enabling communication between and orchestration of previously incompatible cybersecurity tools; (C) an evaluation as to how the STITCHES technology could be used in concert with or instead of existing cybersecurity standards, frameworks, and technologies designed to enable communication across cybersecurity tools. (3) SUSTAINMENT OF STITCHES ENGINEERING RESOURCES AND CAPABILITIES DEVELOPED BY DARPA.—To conduct the demonstrations and assessments required under this subsection and to execute the Joint All Domain Command and Control program, the Joint All Domain Command and Control program office shall sustain the STITCHES engineering resources and capabilities developed by the Defense Advanced Research Projects Agency and all that follows through ‘‘the prime contractor agrees’’. (2) in subparagraph (B), by striking ‘‘if—’’ and inserting after the item relating to section 2339b the following new paragraphs: (3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ‘‘major defense acquisition program’’ has the meaning given in the term in section 2309 of this title.’’. (B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2339b the following new paragraph: ‘‘2339c. Disclosures for certain shipbuilding major defense acquisition programs.’’ Subtitle E—Small Business Matters SEC. 864. DISCLOSURES FOR CERTAIN SHIPBUILDING MAJOR DEFENSE ACQUISITION PROGRAM OFFERS. (a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end of the following new section: "2339c. Disclosures for certain shipbuilding major defense acquisition programs. (a) GENERAL.—Any covered offeror seeking to be awarded a shipbuilding construction contract as part of a major defense acquisition program with funds from the Shipbuilding and Conversion, Navy account shall disclose with its offer and any subsequent offer revisions, including the final proposal offer, whether the offeror’s planned contract performance will or is expected to include foreign government subsidized performance, financing, financial guarantees, or tax concessions. (b) DISCLOSURE.—An offeror shall make a disclosure required under subsection (a) in a format prescribed by the Secretary of the Navy and shall include therein a specific description of the extent to which the offeror’s planned contract performance will include, with or without contingencies, any foreign government subsidized performance, financing, financial guarantees, or tax concessions. (c) CONGREGATIONAL NOTIFICATION.—Not later than 5 days after awarding a contract described under subsection (a) to an offeror that made a disclosure under subsection (b), the Secretary of the Navy shall notify the congressional defense committees and summarize such disclosure. "(4) DEFINITIONS.—In this section: (1) COVERED OFFEROR.—The term ‘‘covered offeror’’ means any offeror that currently requires or may reasonably be expected to require, or in the period of contract performance, a method to mitigate or negate foreign ownership under subsection (b)(6) of part 401 of title 10, United States Code, is amended by adding at the beginning of chapter 137 of title 10, United States Code, is amended— (1) in subparagraph (A), by striking ‘‘if a contract is awarded in whole or in part, or guaranteeing contract price of an end item, or supporting, financing’’ and inserting ‘‘if—’’ and (2) in subparagraph (B), by striking ‘‘if—’’ and inserting ‘‘if the prime contractor agrees or proposes’’. (b) DISCLOSURE.—An offeror shall make a disclosure required under subsection (a) in a format prescribed by the Secretary of the Navy and shall include therein a specific description of the extent to which the offeror’s planned contract performance will include, with or without contingencies, any foreign government subsidized performance, financing, financial guarantees, or tax concessions. (c) CONGRADITIONAL NOTIFICATION.—Not later than 5 days after awarding a contract described under subsection (a) to an offeror that made a disclosure under subsection (b), the Secretary of the Navy shall notify the congressional defense committees and summarize such disclosure. SEC. 872. EXTENSION OF PILOT PROGRAM FOR STREAMLINED AWARDS FOR INNOVATIVE SMALL BUSINESS TECHNOLOGY TRANSFER ACQUISITION contracts submitted under section 221 of title 10, United States Code, for fiscal year 2022 a list of at least one acquisition program for which it won a contract. A large number of users provide direct assessment of the outcome of a competitive contract award.
SEC. 873. REPORTING REQUIREMENTS. 
Section 9(b) of the Small Business Act (15 U.S.C. 636(b)) is amended—
(1) in paragraph (1), by striking “and” at the end; and
(2) by adding at the end the following:
"(H) with respect to a Federal agency to which subsection (1) or (n)(1) applies, whether the Federal agency has satisfied the requirement under each applicable subsection for the year covered by the report;"

SEC. 881. INCLUSION OF SOFTWARE IN GOVERNMENT PERFORMANCE OF ACQUISITION FUNCTIONS. 
(1) in subsection (a), by striking ''for each'' and inserting ''for each acquisition program''; and
(2) by striking subsection (c).

SEC. 882. BALANCING SECURITY AND INNOVATION IN SOFTWARE DEVELOPMENT AND ACQUISITION. 
(a) REQUIREMENTS FOR SOLICITATIONS OF COMMERCIAL AND DEVELOPMENTAL SOLUTIONS.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chief Information Officer of the Department of Defense, shall develop requirements for inclusion in solicitations for commercial and developmental solutions, and for the evaluation of bids, of appropriate software security criteria, including—
(1) delineation of what processes were or will be used for a secure software development lifecycle, including management of supply chain and third-party software sources and component risks; and
(2) an associated vulnerability management plan or tools.

(b) SECURITY REVIEW OF CODE.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chief Information Officer of the Department of Defense, shall develop processes for security review of code for the purpose of publication and other procedures necessary to fully implement the pilot program required under section 617 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2223 note).

(C) COORDINATION WITH SOFTWARE ACQUISITION PATHWAY EFFORTS.—The requirements and procedures described under subsections (a) and (b) shall be developed in conjunction with the Department of Defense’s efforts to incorporate input and finalize the procedures described in the Interim Procedures for Operation of the Software Acquisition Pathway.

SEC. 883. COMPTROLLER GENERAL REPORT ON INTELLECTUAL PROPERTY ACQUISITION AND LICENSING. 
(a) In General.—Not later than October 1, 2021, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the implementation of the Department of Defense’s Instruction on Intellectual Property Acquisition and Licensing (DODI 5010.44), established under section 2322 of title 10, United States Code. 

(b) ELEMENTS.—The report required under subsection (a) shall assess the following:
(1) The extent to which the Department of Defense is fulfilling core principles established in DODI 5010.44.
(2) The extent to which the Defense Acquisition University, Department of Defense components, and program offices are carrying out their responsibilities under DODI 5010.44.
(3) The progress of the Department in establishing and maintaining the extent to which such experts are executing their roles and responsibilities.
(4) The performance of the Department in assessing and implementing the implementation of DODI 5010.44, including the effectiveness of the IP Cadre.
(5) The effect implementation of DODI 5010.44 has had on other entities.
(6) Any other matters the Comptroller General determines appropriate.

SEC. 884. PILOT PROGRAM EXPLORING THE USE OF CONSUMPTION-BASED SOLUTIONS TO ADDRESS SOFTWARE-INTENSIVE WARFIGHTING CAPABILITIES. 
(a) FINDING.—In its final report, the Section 809 Panel recommended the adoption of consumption-based approaches at the Department of Defense, stating—
"More things will be sold as a service in the future. XaaS could really mean everything in the context of the Internet of things (IoT). Consumption-based solutions are appearing in many industries, from last mile transportation (e.g., bike shares and electric scooters) to agriculture (e.g., tractor-as-a-service for farmers in developing countries). Mobile phone users are familiar with software updates that provide bug fixes or new features. A more extreme example of technology innovation enabled by XaaS is the ability to deliver physical performance improvements to vehicles through over-the-air software updates. In the not so distant future, cloud computing and the IoT will enable consumption-based solution offerings and delivery models that are hard to imagine today."

(b) SENSE OF CONGRESS.—It is the sense of Congress—
(1) that the Department of Defense should take advantage of “as-a-service” or “aaS” approaches for software development, particularly where the capability is expected to change frequently or rapidly, and would be hard to imagine today.
(2) that the Department should explore a consumption-based solution to address software-intensive warfighting capabilities.
(3) that the Department should explore a consumption-based solution to address software-intensive warfighting capabilities.
(4) that, in conducting activities under the pilot program established under this section, the Secretary of Defense should take advantage of “as-a-service” or “aaS” approaches for software development, particularly where the capability is expected to change frequently or rapidly, and would be hard to imagine today.

(c) I NCLUSION OF SOFTWARE.—Section 1706(a) of title 10, United States Code, is amended by adding at the end the following:
"(14) Program lead software.

SEC. 885. DURATION OF INITIATIVES. 
Each initiative carried out under the pilot program shall be carried out during the three-year period following selection for the contract, provided that the amount of the new features or capabilities does not exceed 25 percent of the total contract value.

SEC. 886. SELECTION OF INITIATIVES. 
The Secretary of Defense shall submit to the congressional defense committees a report on initiatives selected for the pilot program, roles and responsibilities for implementing the pilot program, and the pilot program at least one and not more than three initiatives that are well-suited to explore consumption-based solutions to address software-intensive warfighting capability. The initiatives may be new or existing programs of record and shall focus on software-defined or machine-enabled warfighting applications, and may include applications that—
(1) rapidly analyze sensor data;
(2) secure warfighter networks, including multi-level security;
(3) swiftly transport information across various networks and network modalities; or
(4) otherwise enable joint all-domain operational concepts, including in a contested environment.

SEC. 887. CONTRACT REQUIREMENTS. 
Contracts for consumption-based solutions entered into pursuant to the pilot program shall provide for—
(1) the solution to be measurable on a frequent interval customary for the type of solution;
(2) the contractor to notify the government with consumption-based solutions for software-intensive capabilities without additional competition for the contract, provided that the amount of the new features or capabilities does not exceed 25 percent of the total contract value.

SEC. 888. MONITORING AND EVALUATION OF PILOT PROGRAM. 
The Director of the Office of Cost Assessment and Program Evaluation shall establish continuous monitoring to evaluate the pilot program established under subsection (c), including collecting data on cost, schedule, and performance from the program office, the user community, and the contractors.

SEC. 889. REPORTS. 
(1) INITIAL REPORT.—Not later than January 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on initiatives selected for the pilot program, roles and responsibilities for implementing the pilot program, and the monitoring and evaluation approach for the pilot.

(2) PROGRESS REPORT.—Not later than April 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the initiatives.

(3) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the cost, schedule, and performance outcomes of the initiatives. The report shall also include lessons learned about the use of consumption-based solutions for software-intensive capabilities and any recommendations for statutory or regulatory changes to facilitate their use.

SEC. 890. CONSUMPTION-BASED SOLUTION DEFINED. 
In this section, the term “consumption-based solution” means any combination of software, hardware or equipment, and labor or services that provides a seamless capability that is metered and billed based on consumption, or resource usage per flat rate or resource unit, and includes the ability to rapidly scale capacity up or down.
Title G—Other Matters

SEC. 891. SAFEGUARDING DEFENSE-SENSITIVE UNITED STATES INTELLECTUAL PROPERTY, TECHNOLOGY, AND OTHER DATA AND INFORMATION.

(a) IN GENERAL.—The Secretary of Defense shall establish, enforce, and track actions being taken to protect defense-sensitive United States intellectual property, technology, and other data and information, including hardware and software, from acquisition by the Government of the People’s Republic of China, or under the direction of, the Government of the People’s Republic of China.

(b) LIST OF CRITICAL TECHNOLOGY.—The Secretary of Defense shall establish and maintain a list of critical national security technology owned by, or under the direction of, the Department of Defense that supply chain risk presents a threat to United States national security.

(c) RESTRICTIONS ON EMPLOYMENT OF DEFENSE INDUSTRIAL BASE EMPLOYEES WITH CHINESE COMPANIES.—The Secretary of Defense shall provide for mechanisms to restrict employees or former employees of the defense industrial base that contribute to the technology referenced in subsection (b) from working directly for companies wholly owned by, or under the direction of, the Government of the People’s Republic of China.

(d) REPORTS. 

(1) DEPARTMENT OF DEFENSE REPORT.—Not later than May 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on progress in implementing the measures described in subsection (a) through (c).

(2) COMPTROLLER GENERAL REPORT.—Not later than December 1, 2021, the Comptroller General of the United States shall submit to the congressional defense committees a report reviewing the report submitted under paragraph (1) and providing an assessment of the effectiveness of the measures implemented under this section.

(e) FORM.—The reports required under this subsection shall be submitted in an unclassified form but may contain classified annexes.

SEC. 892. DOMESTIC COMPARATIVE TESTING ACTIVITIES.

Section 287 of title 10, United States Code, is amended by inserting “and conventional defense equipment, munitions, and technologies manufactured and developed domestically” after “in subsection (a)(2)”.

SEC. 893. REPEAL OF APPRENTICESHIP PROGRAM.

(a) IN GENERAL.—Section 2670 of title 10, United States Code, as added by section 865 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is repealed.

(b) CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The table of subsections of title 10, United States Code, is amended to read as follows:

(c) DOD DIRECTIVE ON RESPONSIBILITIES OF THE SECRETARIAT FOR SPECIAL OPERATIONS.

(1) IN GENERAL.—In order to fulfill the responsibilities of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict specified in section 139b(b)(2)(A)(i) of this title, there shall be within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict an office to be known as the ‘Secretariat for Special Operations’.

(2) PURPOSE.—The purpose of the Secretariat is to assist the Assistant Secretary in exercising authority, direction, and control with respect to special operations-peculiar administration and support of the special operations command, including the organization, training, and equipping of special operations forces, resources and equipment, and civilian personnel as specified in such section.

(3) DIRECTOR.—The Director of the Secretariat for Special Operations shall be appointed by the Secretary of Defense from among individuals qualified to serve as the Director. The Director shall be a grade equivalent of Deputy Assistant Secretary of Defense.

(4) ADMINISTRATIVE CHAIN OF COMMAND.—

For purposes of the support of the Secretariat for Special Operations, the fulfillment of the responsibilities referred to in paragraph (1), the administrative chain of command is as specified in section 167(f)(1) of this title. No officer below the Assistant Secretary of Defense or the Deputy Secretary of Defense (other than the Assistant Secretary) may intervene to exercise authority, direction, or control over the Secretariat in its support of the Assistant Secretary in the discharge of such responsibilities.

(b) SPECIAL OPERATIONS POLICY AND OVERSIGHT COUNCIL.

(1) IN GENERAL.—In order to fulfill the responsibilities specified in section 139b(b)(2)(A)(i) of this title, there shall also be within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict a team known as the ‘Special Operations Policy and Oversight Council.’ The council is lead by the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, or the Assistant Secretary’s designee.

(2) PURPOSE.—The purpose of the Council is to integrate the functional activities of the headquarters of the Department of Defense in order to most efficiently and effectively provide for special operations forces and capabilities. In fulfilling this purpose, the Council shall develop and continuously improve policy, joint doctrine, and procedures that facilitate the development, acquisition, integration, employment, and sustainment of special operations forces and capabilities.

(3) MEMBERSHIP.—The Council shall include the following:

(A) The Assistant Secretary, who shall act as leader of the Council.

(B) Appropriate senior representatives of each of the following:

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


(iii) The Under Secretary of Defense (Comptroller).

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

(v) The Under Secretary of Defense for Intelligence.

(vi) The General Counsel of the Department of Defense.

(vii) The other Assistant Secretaries of Defense under the Under Secretary of Defense for Policy.

(viii) The military departments.

(ix) The Joint Staff.

(x) The United States Special Operations Command.

(xi) Such other officials or Agencies, elements, or components of the Department of Defense as the Secretary of Defense considers appropriate.

(4) OPERATION.—The Council shall operate continuously.

(a) R ESTRICTIONS ON EMPLOYMENT OF THE SECRETARY OF DEFENSE.—

The Secretary of Defense shall publish a Department of Defense directive establishing policy and procedures related to the exercise of authority, direction, and control of all operations, programs, or components of the Department of Defense in order to most efficiently and effectively provide for special operations forces and capabilities.

(b) LIMITATION ON AVAILABILITY OF CERTAIN FUNDING PENDING PUBLICATION.—Of the funds made available to the Department of Defense for the fiscal year ending September 30, 2020, the Secretary of Defense may use no such funds in support of the activities specified in paragraphs (3) and (6) of section 167 of title 10, United States Code, unless and until the Secretary of Defense provides for such activities by the publication of the directive referred to in paragraph (a) of this section.
SEC. 902. REDESIGNATION AND CODIFICATION IN LAW OF OFFICE OF ECONOMIC ADJUSTMENT.

(a) Redesignation.—

(1) IN GENERAL.—The Office of Economic Adjustment in the Office of the Secretary of Defense for Acquisition and Sustainment is redesignated as the “Office of Local Defense Community Cooperation”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the office referred to in paragraph (1) shall be deemed to be a reference to the “Office of Local Defense Community Cooperation”.

(b) CODIFICATION IN LAW.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 116. Office of Local Defense Community Cooperation

“(a) IN GENERAL.—There is an Office of Local Defense Community Cooperation in the Office of the Secretary of Defense for Acquisition and Sustainment.

“(b) DIRECTOR.—The Office shall be headed by the Director of the Office of Local Defense Community Cooperation, who shall be appointed to such position by the Secretary of Defense in consultation with the Chief of Defense Management Reform and will be vested as described in paragraph (1).

“(c) FUNCTIONS.—Subject to the authority, direction, and control of the Under Secretary of Defense for Acquisition and Sustainment, the Office shall—

“(1) in cooperation with the other components of the Department of Defense, be the primary office within the Department for the provision of assistance to States, counties, municipalities, regions, and communities intended to—

“(A) foster greater cooperation with military installations in order to enhance the military mission, achieve facility and infrastructure savings and reduced operating costs, address encroachment and compatible use issues, improve recruitment and retention, and increase military, civilian, and industrial readiness and resiliency; and

“(B) provide a mechanism to ensure that the military and civilian communities are better prepared and trained to handle emerging threats.

“(2) perform such other functions as the Secretary of Defense may delegate.

“(d) ANNUAL REPORT TO CONGRESS.—Not later than June 1 of each year, the Director of the Office of Local Defense Community Cooperation shall submit to the congressional defense committees a report on the activities of the Office, including the budget, and such other information as the Secretary of Defense may require.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of Local Defense Community Cooperation amounts authorized to be appropriated by this Act for fiscal year 2021 for operation and maintenance, defense-wide, and available for the Office of the Secretary of Defense, not more than $5,000,000, of which may be extended until the date that is 15 days after the date on which the Secretary publishes the directive required by paragraph (1).

SEC. 903. MODERNIZATION OF PROCESS USED BY THE DEPARTMENT OF DEFENSE TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.

(a) ANALYSIS REQUIRED.—The Assistant Secretary of Defense for Acquisition and Sustainment shall conduct an analysis of the process used by the Department of Defense to identify reports to Congress required by annual national defense authorization Acts, assign responsibility for preparation of such reports, and manage the completion and delivery of such reports to Congress for the purpose of identifying mechanisms to optimize and otherwise modernize the process.

(b) CONSULTATION.—The Assistant Secretary shall conduct the analysis required by subsection (a) with the assistance of and in consultation with the Chief Data Officer of the Department of Defense and the Director of the Defense Digital Service.

(c) ELEMENTS.—The analysis required by subsection (a) shall include the following:

(1) A business process reengineering of the process described in subsection (a).

(2) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(3) Such recommendations for administrative and legislative action as the Assistant Secretary considers appropriate for purposes of the analysis.

(4) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(5) Such recommendations for administrative and legislative action as the Assistant Secretary considers appropriate for purposes of the analysis.

(6) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(7) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(8) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(9) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

(10) A description of the actions being taken, and the actions to be taken, to optimize and otherwise improve the process described in subsection (a).

SEC. 904. INCLUSION OF VICE CHIEF OF THE NATIONAL GUARD BUREAU AS ADVISOR TO THE JOINT REQUIREMENTS COUNCIL.

Section 181(d)(3) of title 10, United States Code, is amended—

(1) in the heading, by inserting “and vice chief of the National Guard Bureau” after “of staff”;

(2) by striking “of the Chiefs of Staff” and inserting “of—

“(A) the Chiefs of Staff;”;

“(3) by striking the period at the end and inserting “; and”;

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

“(B) the Vice Chief of the National Guard Bureau when matters involving non-Federalized National Guard capabilities in support of homeland defense and civil support missions are under the consideration of the Council.”.

SEC. 905. ASSIGNMENT OF RESPONSIBILITY FOR MODERNIZATION OF PROCESS WITHIN THE OFFICE OF THE SECRETARY OF DEFENSE.

The Assistant Secretary of Defense for Essential Industries shall assign responsibility for the Arctic region to the Deputy Assistant Secretary of Defense for the Western Hemisphere or any other Deputy Assistant Secretary of Defense负责 Secretary of Defense considers appropriate.

Subtitle B—Department of Defense Management Reform

SEC. 911. TERMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) TERMINATION.—

(1) IN GENERAL.—The position of Chief Management Officer of the Department of Defense is terminated, effective on the date specified by the Secretary of Defense, which date may not be later than September 30, 2022.

(2) NOTICE.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the effective date specified pursuant to paragraph (1).

(b) CONFORMING REPEAL OF ESTABLISHING AUTHORITY.—

(1) IN GENERAL.—Section 132a of title 10, United States Code, is amended by striking the item relating to section 132a.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the effective date specified pursuant to subsection (a).

SEC. 912. REPORT ON ASSIGNMENT OF RESPONSIBILITIES, DUTIES, AND AUTHORITIES OF CHIEF MANAGEMENT OFFICER TO OTHER OFFICERS OR EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) REPORT.—Not later than 45 days before the effective date specified pursuant to section 911(a)(1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) The position and title of each other officer or employee of the Department of Defense, and the component of such officer or employee, in whom the Secretary will vest responsibilities, duties, and authorities, as if assigned to the Chief Management Officer by statute that the Secretary recommends for discontinuation or modification, and a justification for such recommendation.

(2) A description of the responsibilities, duties, and authorities, if any, assigned to the Chief Management Officer by statute that the Secretary recommends for discontinuation or modification, and a justification for such recommendation.

(3) A description of the general process and timeline for the effective transfer of each responsibility, duty, and authority assigned to the Chief Management Officer by statute or policy, or practice of the Department of Defense, on the termination of the position of Chief Management Officer under section 911.

(4) A description of the responsibilities, duties, and authorities, if any, assigned to the Chief Management Officer by statute or policy, or practice of the Department that the Secretary recommends for discontinuation or modification, and a justification for such recommendation.

(5) A description of the manner and timeline in which the resources of the Chief Management Officer, including funding and human capital that will be realigned or repurposed to other organizations in the Office of the Secretary of Defense or to other components of the Department.

(6) A description of the general process and timeline for the assignment of responsibility of each issue under the jurisdiction of the
Chief Management Officer current identified by the Comptroller General of the United States as “high risk” to an officer or employee in the Department who is specifically charged by the Secretary to initiate and maintain progress toward resolution of such issue.

(7) Such recommendations (including recommendations for legislation) as the Secretary considers appropriate for additional authorities and resources (including funding and human capital resources) necessary to exercise such responsibilities, duties, and authorities of the Chief Management Officer, in whom the Secretary vests responsibility and authority as described in paragraph (1) is capable of exercising such responsibilities, duties, and authorities effectively.

(8) Such other matters in connection with the termination of the position of Chief Management Officer, and the transition of the responsibilities, duties, and authorities of the Chief Management Officer in connection with such termination, as the Secretary considers appropriate.

(b) Vesting of certain responsibilities, duties, and authorities in particular officers in the Department of Defense for purposes of functions specified in section 1223 of title 10, United States Code.

(1) Vesting of responsibilities, duties, and authorities of the Chief Management Officer in the Performance Improvement Officer of the Department of Defense for purposes of functions specified in section 1223 of title 10, United States Code.

(2) Vesting of responsibilities, duties, and authorities of the Chief Management Officer in the Performance Improvement Officer of the Department of Defense under section 142a of title 10, United States Code (as added by section 913 of this Act), for purposes of functions specified in section 1224 of title 10, United States Code.

(c) Other responsibilities, duties, and authorities.—In addition to any other responsibilities, duties, and authorities of the Chief Management Officer, the report required by subsection (a) shall specifically address responsibilities, duties, and authorities of the Chief Management Officer with respect to the following:

1. Establishment of policies for, and the direction and management of, enterprise business operations and shared business services for all components of the Department, as set forth in section 132a(b) of title 10, United States Code, and section 921(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) and the amendments made by that section.

2. Exercise of authority, direction, and control over the Defense Agencies and Department of Defense Field Activities for shared business services and budget review, assessment, certification, and reporting, as set forth in subsections (b) and (c) of section 132a of title 10, United States Code, and section 1223 of title 10, United States Code.

3. Minimization of duplication of efforts, maximization of efficiency and effectiveness, and establishment of metrics for performance among and for all components of the Department, as set forth in section 132a(b) of title 10, United States Code.

4. Issuance and maintenance of guidance on covered defense business systems, development and maintenance of the defense business enterprise architecture, exercise of authorities and responsibilities with respect to community, innovation, leadership, and management matters within the Defense Business Council, and service as the appropriate approval official in the case of certain covered defense business systems programs, as set forth in section 2222 of title 10, United States Code.

5. The Financial Improvement and Audit Remediation Plan, as set forth in section 240b of title 10, United States Code.

6. Receipt of audit reports, as set forth in section 911(a)(10) of title 10, United States Code.

7. Discharge by the Department of the annual reviews required by section 11319 of title 10, United States Code.


11. Science and technology activities in support of business systems information technology acquisition as set forth in section 1577 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) and the amendments made by that section.

12. Relationships with the Chief Management Officer of the military departments, and the development and update of a strategic management plan for the Department, as set forth in section 801 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) and the amendments made by that section.

SEC. 913. PERFORMANCE IMPROVEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) Performance Improvement Officer.—

(1) IN GENERAL.—The Secretary of Defense shall maintain a plan to be known as the ‘‘Financial Improvement and Audit Remediation Plan’’.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this section shall be effective on the date of enactment of this subsection.

(B) IN GENERAL.—The amendments made by this section shall be effective on the date of enactment of this Act.

(b) Other Responsibilities and Duties to Participating Officers of the Department of Defense.—

(1) CERTAIN RESPONSIBILITIES AND DUTIES TO PARTICULAR OFFICERS OF THE DEPARTMENT OF DEFENSE.—

(a) CERTAIN RESPONSIBILITIES AND DUTIES OF DEPUTY SECRETARY OF DEFENSE.—Chief Operating Officer of the Department of Defense.

(b) Periodic Reviews of Defense Agencies and Department of Defense Field Activities in Connection with Business Systems Information Technology Acquisition and Enterprise Reform.—Section 912(c) of this title is amended—

1. by redesigning paragraphs (1) and (2), as added by section 923(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1330), as paragraphs (4) and (5), respectively;

2. by redesigning paragraphs (3) and (4), as added by section 923(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, as paragraphs (2) and (3), respectively;

3. in paragraph (2), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (A), by striking ‘‘the Chief Management Officer of the Department of Defense’’ and inserting ‘‘the Secretary, the Deputy Secretary of Defense, or the Chief Management Officer of the Department of Defense designated by the Secretary or the Deputy Secretary’’;

(B) in subparagraph (B), by striking ‘‘the Chief Management Officer and inserting ‘‘the Secretary, the Deputy Secretary of Defense, or an officer of the Department of Defense designated by the Secretary or the Deputy Secretary’’;

4. in paragraph (3), as so redesignated, by striking ‘‘the Chief Management Officer’’ each place it appears in subparagraphs (A) and (B) and inserting ‘‘the officer conducting such review’’;

(c) Responsiblity of Under Secretary of Defense (Comptroller) for Financial Improvement and Audit Remediation Plan.—Section (a) of section 914 of this title is amended to read as follows:

1. In General.—The Under Secretary of Defense (Comptroller) shall designate with such other officers and employees of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense shall determine a plan to be known as the ‘‘Financial Improvement and Audit Remediation Plan’’. 
SEC. 915. ASSIGNMENT OF RESPONSIBILITIES AND DUTIES OF CHIEF MANAGEMENT OFFICER TO OFFICERS OR EMPLOYEES OF THE DEPARTMENT OF DEFENSE TO BE DESIGNATED.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) in subsection (e)(6)(C), by inserting "and the Performance Improvement Officer of the Department of Defense" after "the Director of Cost Assessment and Program Evaluation"

(2) in subsection (f)(2)(B)—
   (A) by redesignating clauses (i) through (iii) as clauses (ii) through (iv), respectively; and
   (B) by inserting before clause (ii), as redesignated by paragraph (1), the following new clause (i):

       "(i) the Performance Improvement Officer of the Department of Defense.

(e) EFFECTIVE DATE.—The amendments made by sections 911(a) and 915 of this title shall take effect on the effective date specified in section 911(a)(1).

SEC. 916. DEFINITION OF ENTERPRISE BUSINESS OPERATIONS FOR TITLE 10, UNITED STATES CODE.

Effective on the effective date specified in section 911(a)(1) of this Act, title 10, United States Code, is amended by adding at the end the following new paragraph:

"(9) ENTERPRISE BUSINESS OPERATIONS.—The term 'enterprise business operations' means activities that constitute cross-cutting business operations used by multiple components of the Department of Defense designated by the Secretary of Defense or the Deputy Secretary of Defense for such purpose.

(c) PUBLIC LAW 116–92.—Section 811(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking "the Chief Management Officer of the Department of Defense" and inserting "such officer of the Department of Defense as the Secretary or the Deputy Secretary of Defense may designate.

(d) PUBLIC LAW 115–232.—The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended as follows:

(1) In section 921(b)(1) (10 U.S.C. 2222 note) (A) in subparagraph (A), by striking "the Chief Management Officer of the Department of Defense" and inserting "such officer or employee of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense may designate";
   (B) in subparagraph (B),
      (i) in the subparagraph heading, by striking "CMO";
      (ii) by striking "the Chief Management Officer" the first place it appears and inserting "the Secretary shall, acting through such officer or employee of the Department of Defense as the Secretary or the Deputy Secretary shall designate"; and
      (iii) by striking "by the Chief Management Officer" the second place it appears and inserting "such officer or employee";

(2) In section 922 (10 U.S.C. 2222 note) (A) in subsection (a), by striking "The Chief Management Officer of the Department of Defense" and inserting "An officer or employee designated pursuant to subsection (a)";
   (B) in subsection (a), by striking "The Chief Management Officer" and inserting "such officer or employee";

(3) In section 217—
   (1) in section 217—
      (A) in subsection (a), by striking "the Chief Management Officer and the Chief Information Officer, and any other officer of the Department of Defense or the Deputy Secretary of Defense as the Secretary may designate";
      (B) in paragraph (6)—
         (I) in subparagraph (A)—
            (aa) by striking "the Chief Management Officer of the Department of Defense and inserting "such officers or employees of the Department of Defense as the Secretary shall designate";
            (bb) by striking "the Chief Management Officer of the Department of Defense" and inserting "such officers of the Department of Defense as the Secretary shall designate";
            (II) in subparagraph (B), by striking "The Chief Management Officer and the Under Secretary of Defense (Comptroller)" and inserting "The Under Secretary of Defense for Intelligence";
            (III) in subparagraph (C), by striking "such other officers or employees of the Department of Defense as the Secretary may designate";
            (IV) in subsection (f)(1), by striking "the Chief Management Officer and the Chief Information Officer of the Department of Defense" and inserting "the Chief Information Officer of the Department of Defense";
            (V) in subsection (f)(2), by striking "the Deputy Chief Management Officer" and inserting "the Deputy Chief Management Officer";
   (2) in section 914(b)(1)(A), by striking "the Chief Management Officer of the Department of Defense" and inserting "The Under Secretary of Defense";
   (3) in section 921(b)(1), by striking "the Chief Information Officer of the Department of Defense" and inserting "Chief Information Officer";
   (4) in section 914(d)(4), by striking "the Chief Management Officer of the Department of Defense" and inserting "the Chief Management Officer of the Department of Defense";
   (5) in section 920(a)(1)(A)(i), by striking "the Deputy Chief Management Officer of the Department of Defense" and inserting "the Deputy Chief Management Officer of the Department of Defense";
   (6) in section 217—
      (A) in subsection (a), by striking "the Chief Management Officer of the Department of Defense" and inserting "such officer of the Department of Defense as the Secretary or the Deputy Secretary of Defense may designate";
      (B) in subsection (b), by striking "the Chief Management Officer of the Department of Defense" and inserting "such officer or employee of the Department of Defense as the Secretary or the Deputy Secretary of Defense may designate";
      (C) by inserting "and Security" after "for Intelligence" each place it appears;

(f) PUBLIC LAW 118–18.—The John S. McCain National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) is amended as follows:

(1) In section 921(b)(1) (10 U.S.C. 2222 note) (A) in subparagraph (A), by striking "the Chief Management Officer" and inserting "such officer or employee";
   (B) in subparagraph (B), by striking "the Chief Management Officer" and inserting "such officer or employee";

(2) In section 631(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended as follows:

(1) in subsection 217—
   (A) in subsection (a), by striking "the Deputy Chief Management Officer, the Chief Information Officer, and any other officer of the Department of Defense or the Deputy Secretary of Defense as the Secretary or Defense or the Deputy Secretary of Defense may designate";
   (B) in subsection (b), by striking "the Chief Management Officer, the Chief Information Officer, and any other officer of the Department of Defense or the Deputy Secretary of Defense as the Secretary or Defense or the Deputy Secretary of Defense may designate";

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date specified in section 911(a)(1).
Defence, but excludes activities that are directly tied to a single military department or Department of Defense component; and

(2) includes business-support functions designated by the Secretary of Defence for the Deputy Secretary of Defense, including aspects of financial management, healthcare, acquisition and procurement, supply, logistics, certain information technology, real property, and human resources operations.”.

SEC. 917. ANNUAL REPORT ON ENTERPRISE BUSINESS OPERATIONS OF THE DEPARTMENT OF DEFENSE.

(a) ANNUAL REPORT REQUIRED.—Not later than March 31 each year, the Secretary of Defence shall submit to Congress a report that includes the following:

(1) Each proposed budget for the enterprise business operations of a Defense Agency or Department of Defense Field Activity for the fiscal year beginning in the year in which such report is submitted.

(2) An identification of each proposed budget described in paragraph (1) that does not achieve required levels of efficiency and effectiveness for enterprise business operations.

(3) A discussion of the actions that the Secretary proposes to take, including recommendations for legislative action that the Secretary considers appropriate, to address inadquate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets described in paragraph (1).

(4) Any additional comments that the Secretary considers appropriate regarding inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets described in paragraph (1).

(b) SUBMITTAL.—The Secretary may submit a report required by subsection (a) through the Deputy Secretary of Defense.

(c) ENTERPRISE BUSINESS OPERATIONS DEFINED.—In this section, the term “enterprise business operations” has the meaning given that term in paragraph (9) of section 101(e) of title 10, United States Code (as added by section 916 of this Act).

SEC. 918. CONFORMING AMENDMENTS.

(a) T ITLE 10, U NITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) In section 131(b)—

(A) by striking paragraph (2);

(B) by redesigning paragraphs (3) through (9) as paragraphs (2) through (8), respectively; and

(C) in paragraph (7), as redesignated by subparagraph (B)—

(i) by redesigning subparagraphs (A) through (F) as subparagraphs (B) through (G), respectively; and

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

“(A) The Performance Improvement Officer of the Department of Defense.”;

(2) In section 133(a)—

(A) in paragraph (1), by striking “, the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense” and inserting “and the Deputy Secretary of Defense”;

and

(B) in paragraph (2), by striking “the Chief Management Officer.”;

(3) In section 133(b)—

(A) in paragraph (1), by striking “the Chief Management Officer of the Department of Defense,”; and

(B) in paragraph (2), by striking “the Chief Management Officer.”;

(4) in section 133(c), by striking “the Chief Management Officer of the Department of Defense.”;

(in section 133(d), by striking “the Chief Management Officer of the Department of Defense.”;

(5) In section 134(b), by striking “, the Chief Management Officer of the Department of Defense.”;

(6) in section 2403(b)(1)(C)(ii), by striking “, the Chief Management Officer.”;

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5313 of title 5, United States Code, is amended by inserting before the item relating to the Chief Management Officer of the Department of Defense the following new item:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date specified in section 911(a)(1).

Subtitle C—Space Force Matters

PART I—AMENDMENTS TO INTEGRATE THE SPACE FORCE INTO THE DEPARTMENT

SEC. 901. CREATION OF SPACE FORCE AND CHIEF OF SPACE OPERATIONS AUTHORITIES.

(a) COMPOSITION OF SPACE FORCE.—Section 9081 of title 10, United States Code, is amended by striking subsection (b) and inserting the following new subsection (b):

“§ 9081. Functions of the Strategic Command.

(b) The Secretary of Defense shall establish the space force as a new military department of the Department of Defense that is strategically independent from the Department of the Army, Navy, and Marine Corps and shall consist of—

(1) the Regular Space Force;

(2) all persons appointed or enlisted in, or conscripted into, the Space Force, including those not assigned to units, necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency; and

(3) all Space Force units and other Space Force organizations, including installations and supporting and auxiliary combat, training, administrative, and logistic elements.”.

(b) FUNCTIONS.—Section 9081 of title 10, United States Code, is further amended—

(1) by striking subsection (c) and inserting the following new subsection (c):

“(c) FUNCTIONS.—The Space Force shall be organized, trained, and equipped to—

(1) provide freedom of operation for the United States in, from, and to space;

(2) conduct space operations; and

(3) protect the United States interests in space.”; and

(2) by striking subsection (d).

(c) CLARIFICATION OF CHIEF OF SPACE OPERATIONS AUTHORITIES.—Section 9082 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “general officers of the Air Force” and inserting “general, flag, or equivalent officers of the Space Force”;

and

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

“(3) The President may appoint an officer as Chief of Space Operations only if—

(A) the officer has had significant experience in joint duty assignments; and

(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 66(d) of this title) as a general, flag, or equivalent officer of the Space Force.

(4) The President may waive paragraph (3) in the case of an officer if the President determines such action is necessary in the national interest.”;

(2) in subsection (b), by striking “grade of general” and inserting “grade in the Space Force equivalent to the grade of general in the Army, Air Force, and Marine Corps, or admiral in the Navy”;

(3) in subsection (d)—

(A) in paragraph (4), by striking “and” at the end and inserting “the Chief of Space Operations shall be responsible for—

(B) by redesigning paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph (5):

“(5) perform duties prescribed for the Chief of Space Operations by sections 171 and 2247 of this title and other provision of law; and”.

(d) REGULAR SPACE FORCE.—Chapter 908 of title 10, United States Code, as amended by subsection (d), is further amended by adding at the end the following new section 9083:

“§ 9083. Regular Space Force: composition

(a) IN GENERAL.—The Regular Space Force is the component of the Space Force that consists of persons whose continuous service on active duty in both peace and war is contemplated by law, and of retired members of the Regular Space Force.

(b) COMPOSITION.—The Regular Space Force includes—

(1) the officers and enlisted members of the Regular Space Force; and

(2) the retired officers and enlisted members of the Regular Space Force.”.

(f) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by striking the item relating to section 9083 and inserting the following new item:

“9083. Regular Space Force: composition.”.

SEC. 901A. OFFICE OF THE CHIEF OF SPACE OPERATIONS.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, as amended by section 903 of this Act, in section 9083, is further amended—

(1) by redesigning section 9083 as section 9083; and

(2) by inserting after section 9082 the following new sections:

“§ 9083. Office of the Chief of Space Operations: function; composition

(a) FUNCTION.—There is in the executive part of the Department of the Air Force an Office of the Chief of Space Operations to assist the Secretary of the Air Force in carrying out the responsibilities of the Secretary.

(b) COMPOSITION.—The Office of the Chief of Space Operations is composed of the following:

(1) The Chief of Space Operations.

(2) Such other offices and officials as may be established by law or as the Secretary of the Air Force may establish or designate.

(3) Other members of the Space Force and Air Force assigned or detailed to the Office of the Chief of Space Operations.

(4) Civilian employees in the Department of the Air Force assigned or detailed to the Office of the Chief of Space Operations.

(c) ORGANIZATION.—Except as otherwise specifically prescribed by law, the Office of the Chief of Space Operations shall be organized, managed, and administered by the Office of the Chief of Space Operations.

The Secretary of the Air Force shall perform such duties and have such titles, as the Secretary of the Air Force may prescribe.

“§ 9084. Office of the Chief of Space Operations: general duties

(a) PROFESSIONAL ASSISTANCE.—The Office of the Chief of Space Operations shall furnish professional assistance to the Secretary of the Air Force, the Chief of Space Operations, and other personnel of the Office of the Secretary of the Air Force or the Office of the Chief of Space Operations.

(b) AUTHORITY.—In 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, training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Force, as will assist in the execution of any part of the functions 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 specified instructions for the execution of approved plans and supervise the execution of those plans and instructions;”;

“(4) as directed by the Secretary of the Air Force or the Chief of Space Operations, coordinate the action of organizations of the Space Force; and”;

“(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary of the Air Force.”.

(b) TABLE OF SECTIONS.—The table of sections of chapter 9 of title 10, United States Code, is amended by adding the following new item:

“§ 9013. Members of the Space Force.”

(c) Members of the Space Force.—The Members of the Space Force Act of 2020, as amended, is further amended by striking the item related to section 9013 and inserting the following new item:


9024. Members of the Space Force.”

(d) Air Force and Space Force.—


9017. The Air Staff: function; composition.

9021. Office of the Secretary of the Air Force.

9081. Office of the Secretary of the Air Force.

9082. Secretary of the Air Force.


9085. Regular Space Force: composition.”

SEC. 902. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS IN TITLE 10, UNITED STATES CODE.

(a) SUBTITLE.—

(1) HEADING.—The heading of subtitle D of title 10, United States Code, is amended to read as follows:

“Subtitle D—Air Force and Space Force”.

(b) TABLE OF SUBTITLES.—The table of subtitles at the beginning of such title is amended by striking the item relating to subtitle D and inserting the following new item:

“D. Air Force and Space Force .......... 9011”.

(c) ORGANIZATION.—

(1) SECRETARY OF THE AIR FORCE.—Section 9013 of title 10, United States Code, is amended—

(A) in subsection (f), by inserting “and members of the Space Force”, after “Officers of the Air Force”;

(B) in subsection (g)(1), by inserting “, members of the Space Force,” after “members of the Air Force”.

(2) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014 of such title is amended—

(A) in subsection (b), by striking paragraph (4) and inserting the following new paragraph (4):

“(4) The Inspector General of the Department of the Air Force.”;

(B) in subsection (c)—

(i) in paragraph (1), by striking “and the Air Staff” and inserting “, the Air Staff, and the Office of the Chief of Space Operations”;

(ii) in paragraph (2), by inserting “, the Office of the Chief of Space Operations” after “the Air Staff”;

(iii) in paragraph (3), by striking “to the Chief of Staff and to the Air Staff” and all that follows through the end and inserting “to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief’s duties and responsibilities.”; and

(D) in subsection (e)–

(i) by striking “the Air Staff” and inserting “, the Air Staff, and the Office of the Chief of Space Operations”;

(ii) by striking “to the other” and inserting “to any of the others”.

(3) SECRETARY OF THE AIR FORCE: SUCCEEDORS TO DUTIES.—Section 9017(4) of such title is amended by inserting before the period the following: “of the Air Force and the Chief of Space Operations, in the order prescribed by the Secretary of the Air Force and approved by the Secretary of Defense.”

(4) INSPECTOR GENERAL.—Section 9020 of such title is amended—

(A) in subsection (a)—

(i) by inserting “Department of the” after “Inspector General of the”; and

(ii) by inserting “or the general, flag, or equivalent officers of the Space Force” after “general officers of the Air Force”;

(B) in subsection (b), by striking “in the matter preceding paragraph (1), by striking “or the Chief of Staff” and inserting “, the Chief of Staff of the Air Force,” and

(C) in subsection (e), by inserting “or the Space Force” before “for a tour of duty”;

(5) THE AIR STAFF: FUNCTION; COMPOSITION.—Section 9031(b)(8) of such title is amended—

(A) in subsection (f), by striking paragraph (A), by inserting “or the Space Force” after “Regular Air Force”;

(B) in subsection (g)—

(i) by inserting “the Chief of Staff and to the Air Staff” and inserting “, the Chief of Staff of the Air Force, and the Chief of Space Operations”;

(ii) by striking “to the other” and inserting “to any of the others”;

(6) ORGANIZATION.—Section 9033 of such title is amended—

(A) in subsection (b)—

(i) by inserting “or the Regular Space Force” after “Regular Air Force” both places it appears;

(ii) by inserting “or the Space Force” after “officer of the Air Force” both places it appears.

(B) HEADING.—The heading of such section 9033 is amended to read as follows:

“9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.”

(7) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 913 of such title is amended by striking the item relating to section 9132 and inserting the following new item:

“9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.”

(8) PROVISION OF CERTAIN PROFESSIONAL FUNCTIONS FOR THE SPACE FORCE.—Section 9063 of such title is amended—

(A) in subsections (a) through (i), by striking “in the Air Force” each place it appears and inserting “in the Space Force” and “Space Force”; and

(B) in subsection (j), as amended by subparagraph (A), by inserting “, or the Space Force” after “members of the Air Force”.

(9) PERSONNEL.—

(1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

(A) IN GENERAL.—Section 9132 of title 10, United States Code, is amended by inserting “or the Regular Space Force” after “Regular Air Force”.

(B) HEADING.—The heading of such section 9132 is amended to read as follows:

“9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.”

(2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

(A) IN GENERAL.—Section 9138 of such title is amended by—

(i) by inserting “or the Regular Space Force” after “Regular Air Force” both places it appears; and

(ii) by inserting “or the Space Force” after “officer of the Air Force” both places it appears.

(B) HEADING.—The heading of such section 9138 is amended to read as follows:

“9138. Regular Air Force and Regular Space Force: reenlistment after service as an officer.”

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 913 of such title, as amended by paragraph (1)(C), is further by striking the item relating to section 9138 and inserting the following new item:

“9138. Regular Air Force and Regular Space Force: reenlistment after service as an officer.”

(3) APPOINTMENTS IN THE REGULAR AIR FORCE AND REGULAR SPACE FORCE.—

(A) IN GENERAL.—Section 9160 of such title is amended—

(i) by inserting “or the Regular Space Force” after “Regular Air Force”; and

(ii) by inserting “or the Space Force” before the period.

(B) CHIEF OF STAFF.—The heading of chapter 915 of such title is amended to read as follows:

“CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND THE REGULAR SPACE FORCE.”

(C) TABLES OF CHAPTERS.—The table of chapters at the beginning of part II of such title, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new items:


(d) Retired Commissioned Officers: Status.—Section 9203 of such title is amended by inserting “or the Space Force” after “the Air Force”.

(e) Duties: Chaplains: Assistance Required by Commanding Officers.—Section 9217(a) of such title is amended by inserting “or the Space Force” after “the Air Force”. August 5, 2020
(6) RANK: COMMISSIONED OFFICERS SERVING UNDER TEMPORARY APPOINTMENTS.—Section 9222 of such title is amended by inserting “or the Space Force” after “the Air Force” both places it appears.

(7) REQUIREMENT OF EXEMPLARY CONDUCT.—Section 9233 of such title is amended—
(A) in the matter preceding paragraph (1), by inserting “or the Space Force” after “the Air Force”; and
(B) in paragraphs (3) and (4), by inserting “or the Space Force, respectively” after “the Air Force”.

(8) ENLISTED OFFICERS NOT TO USE AS SERVANTS.—Section 9239 of such title is amended by inserting “or the Space Force” after “the Air Force” both places it appears.

(9) PRESENTATION OF UNITED STATES FLAG UPON RETIREMENT.—Section 9251(a) of such title is amended by inserting “or the Space Force” after “member of the Air Force”.

(10) SERVICE CREDIT: REGULAR ENLISTED MEMBERS; SERVICE AS AN OFFICER TO BE COUNTED AS ENLISTED SERVICE.—Section 9252 of such title is amended—
(A) by inserting “or the Regular Space Force” after “Regular Air Force”; and
(B) by inserting “or Space Force” after “in the Air Force,”.

(11) WHEN SECRETARY MAY REQUIRE HOSPITALIZATION.—Section 9253 of such title is amended by inserting “or the Space Force” after “the Air Force” each place it appears.

(12) DECORATIONS AND AWARDS.—
(A) IN GENERAL.—Chapter 937 of such title is amended by inserting “or the Space Force” after “the Air Force” each place it appears in the following provisions:
(i) Section 9271.
(ii) Section 9272.
(iii) Section 9273.
(iv) Section 9276.
(v) Section 9281 other than the first place it appears in subsection (a).
(vi) Section 9286(a) other than the first place it appears.
(B) MEDAL OF HONOR; AIR FORCE CROSS; DISTINGUISHED-SERVICE MEDAL; DELEGATION OF POWER TO AWARD.—Section 9275 of such title is amended by inserting before the period at the end the following: “, or to an equivalent commander of a separate space force or higher unit in the field”.

(13) TWENTY YEARS OR MORE: REGULAR OR RESERVE COMMISSIONED OFFICERS.—Section 9311a of such title is amended by inserting “or the Space Force” after “the Air Force”.

(14) TWENTY TO THIRTY YEARS: ENLISTED MEMBERS.—Section 9311 of such title is amended by inserting “or the Space Force” after “member of the Air Force”.

(15) THIRTY YEARS OR MORE: REGULAR ENLISTED MEMBERS.—Section 9317 of such title is amended by inserting “or the Space Force” after “the Air Force”.

(16) THIRTY YEARS OR MORE: REGULAR COMMISSIONED OFFICERS.—Section 9318 of such title is amended by inserting “or the Space Force” after “Air Force”.

(17) FORTY YEARS OR MORE: AIR FORCE OFFICERS.—
(A) IN GENERAL.—Section 9324 of such title is amended in subsections (a) and (b) by inserting “or the Space Force” after “Air Force”.

(B) HEADING.—The heading of such section 9324 is amended to read as follows: “§ 9324. Forty years or more: Air Force officers and Space Force officers.”

(C) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 941 of such title is amended by striking the item relating to section 9324 and inserting the following new item:
“§ 9324. Forty years or more: Air Force officers and Space Force officers.”

(D) COMMISSION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT: ENLISTED MEMBERS.—Section 9325(a) of such title is amended by inserting “or the Space Force” after “Air Force”.

(18) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT: ENLISTED MEMBERS.—Section 9325(a) of such title is amended by inserting “or the Space Force” after “Air Force”.

(19) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT: REGULAR AND RESERVE COMMISSIONED OFFICERS.—
(A) IN GENERAL.—Section 9326(a) of such title is amended—
(i) in the matter preceding paragraph (1), by inserting “or the Space Force” after “of the Air Force”.
(ii) in paragraph (1), by striking “or the Air Force” and inserting “, the Air Force, or the Space Force”.
(B) TECHNICAL AMENDMENTS.—Such section 9326(a) is further amended by striking “his” each place it appears and inserting “the officer’s”.

(20) COMPUTATION OF RETIRED PAY: LAW APPLICABLE.—Section 9329 of such title is amended by inserting “or the Space Force” after “Air Force”.

(21) RETIRED GRADE.—
(A) HIGHER GRADE AFTER 30 YEARS OF SERVICE: WARRANT OFFICERS AND ENLISTED MEMBERS.—Section 9344 of such title is amended—
(i) in subsection (a), by inserting “or the Space Force” after “member of the Air Force”.
(ii) in subsection (b)—
(I) in paragraphs (1) and (3), by inserting “or the Space Force” after “Air Force” each place it appears.
(II) in paragraph (2), by inserting “or the Regular Space Force” after “Regular Air Force”.
(B) RESTORATION TO FORMER GRADE: RETIRED WARRANT OFFICERS AND ENLISTED MEMBERS.—Section 9345 of such title is amended by inserting “or the Space Force” after “member of the Air Force”.

(C) RETIRED LISTS.—Section 9346 of such title is amended—
(I) in subsections (a) and (d), by inserting “or the Regular Space Force” after “Regular Air Force”.
(II) in subsection (b)(1), by inserting before the semicolon the following: “, or for commissioned officers of the Space Force other than of the Regular Space Force”; and
(III) in subsections (b)(2) and (c), by inserting “or the Space Force” after “Air Force”. 

(22) RECOMPUTATION OF RETIRED PAY TO REFLECT ADVANCEMENT ON RETIRED LIST.—Section 9352(a) of such title is amended by inserting “or the Space Force” after “Air Force”.

(23) FATALITY REVIEWS.—Section 9381(a) of such title is amended in paragraphs (1), (2), and (3) by inserting “or the Space Force” after “Air Force”.

(24) TRAINING.—
(A) MEMBERS OF AIR FORCE: DETAIL AS STUDENTS, OBSERVERS, AND INVESTIGATORS AT EDUCATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND HOSPITALS.—
(i) In general.—Section 9401 of title 10, United States Code, is amended—
(I) in subsection (a), by inserting “and members of the Space Force” after “Air Force”; and
(II) in subsection (e), by inserting “or the Space Force” after “Air Force”.

(B) TECHNICAL AMENDMENTS.—Subsection (c) of such section 9401 is further amended—
(i) by striking “his” and inserting “the Reserve’s”; and
(ii) by striking “he” and inserting “the Reserve”.

(C) HEADING.—The heading of such section 9401 is amended to read as follows: “§ 9401. Members of Air Force and Space Force: detail as students, observers and investigators at educational institutions, industrial plants, and hospitals.”

(D) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 951 of such title is amended by striking the item relating to section 9401 and inserting the following new item:
“§ 9401. Members of Air Force and Space Force: detail as students, observers, and investigators at educational institutions, industrial plants, and hospitals.”

(2) ENLISTED MEMBERS OF AIR FORCE: SCHOOLS.—
(A) IN GENERAL.—Section 9402 of such title is amended—
(i) in subsection (a)—
(I) in the first sentence, by inserting “and enlisted members of the Space Force” after “members of the Air Force”; and
(II) in the third sentence, by inserting “and Space Force officers” after “Air Force officers”;

(ii) in subsection (b), by inserting “or the Space Force” after “Air Force”.

(B) HEADING.—The heading of such section 9402 is amended to read as follows: “§ 9402. Enlisted members Air Force or Space Force schools.”

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 951 of such title is amended by striking the item relating to section 9402 and inserting the following new item:
“§ 9402. Enlisted members of Air Force or Space Force schools.”

(3) SERVICE SCHOOLS: LEAVES OF ABSENCE FOR INSTRUCTORS.—Section 9406 of such title is amended by inserting “or Space Force” after “Air Force”.

(4) DEGREE GRANTING AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9414(d)(1) of such title is amended by inserting “or the Space Force” after “member of the Air Force”.

(5) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—Section 9414(a)(2) is amended—
(A) by inserting “or the Space Force” after “Air Force” each place it appears; and
(B) in subparagraph (B), by inserting “or the equivalent grade in the Space Force” after “brigadier general”.

(6) COMMUNITY COLLEGE OF THE AIR FORCE: ASSOCIATE DEGREES.—Section 9415 of such title is amended—
(A) by inserting “or the Space Force” after “Air Force” each place it appears; and
(B) in subparagraph (B), by inserting “or the equivalent grade in the Space Force” after “brigadier general”.

(7) AIR FORCE ACADEMY ESTABLISHMENT: SUPPORT.—Section 9416(a) of such title is amended by striking “Air Force cadets” and inserting “cadets”.

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(8) AIR FORCE ACADEMY SUPERINTENDENT; FACULTY; APPOINTMENT AND DETAIL.—Section 943(a) of such title is amended by inserting "or the Space Force" after "Air Force".

(e) SERVICE, SUPPLY, AND PROCUREMENT.—

(1) EQUIMENT, FACADES, SCHOOLS, KITCHENS, AND MEAL HALLS.—Section 9536 of title 10, United States Code, is amended in the matter preceding paragraph (1) by inserting "or the Space Force" after "the Air Force".

(2) RATIONS.—Section 9561 of such title is amended—

(A) in subsection (a)—

(i) in the first sentence, by inserting "and" before "the Air Force";

(ii) in the second sentence, by inserting "or the Space Force" after "Air Force"; and

(iii) in the third sentence, by inserting "and the Space Force" after "lieutenant colonel"; and

(B) in subsection (b)—

(i) in the first sentence, "in the Air Force or the equivalent grade in the Space Force" after "colonel" each place it appears; and

(ii) in the second sentence, by inserting "and a person appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force or the equivalent grade in the Space Force" after "lieutenant colonel"; and

(C) in subsection (c)—

(i) in paragraph (7), in the matter preceding subparagraph (A), by inserting "or Space Force" after "Air Force".

(e) in subsection (e)—

(i) by inserting "or the Space Force" after "the Air Force"; and

(ii) by inserting "or the Space Force, respectively" after "the Air Force" the second place it appears;

(F) in subsection (f), by inserting "or the Space Force" after "the Air Force"; and

(G) in subsection (h)—

(i) by inserting "or the Space Force" after "the Air Force" the first place it appears; and

(ii) by inserting "or members of the Space Force" after "members of the Air Force".

(10) RATIONS: COMMISSIONED OFFICERS IN FIELD.—Section 9622 of such title is amended by inserting "or the Space Force" after "of the Air Force".

(11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES OF THE AIR FORCE.—Section 9624(a) of such title is amended—

(A) by striking "air base" and inserting "Air Force or Space Force military installation";

(B) by striking "Air Force" and inserting "Space Force" when and inserting "Department of the Air Force when";

(12) ORDNANCE PROPERTY: OFFICERS OF ARMED FORCES; CIVILIAN EMPLOYEES OF AIR FORCE.—

(A) IN GENERAL.—Section 9625 of such title is amended by inserting "or the Space Force" after "officers of the Air Force"; and

(B) by striking "Air Force" and inserting "the Department of the Air Force".

(B) GRADUATION.—Section 9453(b) of such title is amended—

(A) in subsection (a)—

(i) by striking "personnel of the Department of the Air Force"; and

(ii) in paragraph (3), by striking ". . . or the equivalent grade in the Space Force" after "materials of the Air Force".

(C) CLOTHING: REPLACEMENT WHEN DESTROYED TO PREVENT CONTAGION.—Section 9563 of such title is amended by inserting "or the Space Force" after "member of the Air Force".

(13) TECHNICAL AMENDMENTS.—Sections (a) and (b) of such section 9436 are further amended by striking "he" each place it appears and inserting "such person".

(14) CLOTHING: APPOINTMENT AND DETAIL.—Section 9448(a) of such title is amended by inserting "personnel of the Department of the Air Force" after "Air Force".

[PARTIAL TEXT Omitted]

(15) UTILITIES: PROCEEDS FROM OVERSEAS OPERATIONS.—Section 9591 of such title is amended by inserting "or the Space Force" after "the Air Force".

(16) CLOTHING: REPLACEMENT WHEN DESTROYED TO PREVENT CONTAGION.—Section 9563 of such title is amended by inserting "or the Space Force" after "the Air Force".

(17) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "or the Space Force" after "the Air Force".

(18) COLOR: CLOTHING, UNIFORMS, AND EQUIPMENT OF THE ARMED FORCES.—Section 9621(c)(1) of such title is amended by striking "Marine Corps" and inserting "Marine Corps, or the Space Force" after "the Marine Corps".

(19) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "Marine Corps, or the Space Force" after "the Marine Corps".

(20) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "or the Space Force" after "the Marine Corps".

(21) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "or the Air Force, respectively" after "the Marine Corps".

(22) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "or the Space Force" after "the Marine Corps".

(23) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "or the Space Force" after "the Marine Corps".

(24) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "the Department of the Air Force" after "the Marine Corps".

(25) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9591 of such title is amended by inserting "the Department of the Air Force" after "the Marine Corps".

(D) in subsection (d), by inserting "or Marine Corps" and inserting "Marine Corps, or Space Force" after "Air Force".

(E) in subsection (e)—

(i) by inserting "or the Space Force" after "the Air Force" the first place it appears; and

(ii) by inserting "or the Space Force, respectively" after "the Air Force" the second place it appears;

(F) in subsection (f), by inserting "or the Space Force" after "the Air Force"; and

(G) in subsection (h)—

(i) by inserting "or the Space Force" after "the Air Force" the first place it appears; and

(ii) by inserting "or members of the Space Force" after "members of the Air Force".

(10) RATIONS: COMMISSIONED OFFICERS IN FIELD.—Section 9622 of such title is amended by inserting "or the Space Force" after "organizations of the Air Force".

(11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES OF THE AIR FORCE.—Section 9624(a) of such title is amended—

(A) by striking "air base" and inserting "Air Force or Space Force military installation";

(B) by striking "Air Force" and inserting "Space Force" when and inserting "Department of the Air Force when";

(12) ORDNANCE PROPERTY: OFFICERS OF ARMED FORCES; CIVILIAN EMPLOYEES OF AIR FORCE.—

(A) IN GENERAL.—Section 9625 of such title is amended by inserting "or the Space Force" after "officers of the Air Force"; and

(B) by striking "Air Force" and inserting "the Department of the Air Force".

(B) GRADUATION.—Section 9453(b) of such title is amended—

(A) in subsection (a)—

(i) by striking "Personnel of the Department of the Air Force"; and

(ii) in paragraph (3), by striking ". . . or the equivalent grade in the Space Force" after "Air Force".

(C) CLOTHING: REPLACEMENT WHEN DESTROYED OR DAMAGED.—Section 9563 of such title is amended by inserting "or the Space Force" after "member of the Air Force".

(13) TECHNICAL AMENDMENTS.—Sections (a) and (b) of such section 9436 are further amended by striking "he" each place it appears and inserting "such person".

(14) CLOTHING: APPOINTMENT AND DETAIL.—Section 9448(a) of such title is amended by inserting "personnel of the Department of the Air Force" after "Air Force".

[PARTIAL TEXT Omitted]
space mission-related facility’’ after “aviation field’’.

(B) HEADING.—The heading of such section 9771 is amended to read as follows:

“§ 9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space mission-related facility’’.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 979 of such title is amended by striking the item relating to section 9771 and inserting the following new item:

“§ 9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space mission-related facility’’.

(17) ACQUISITION AND CONSTRUCTION: AIR BASES AND DEPOTS.—

(A) IN GENERAL.—Section 9773 of such title is amended—

(i) in subsection (a)—

(I) by striking “permanent air bases” and inserting “Air Force and Space Force military installations’’;

(II) by striking “existing air bases” and inserting “existing installations’’; and

(III) by inserting “or the Space Force’’ after “training of the Air Force’’;

(ii) in subsections (b) and (c), by striking “air bases” each place it appears and inserting “installations’’;

(iii) in subsection (b)(7), by inserting “or Space Force’’ after “Air Force’’;

(iv) in subsections (a)(1),

(I) by inserting “Space Force’’ after “Air Force’’; and

(ii) by inserting “or the Space Force’’ after “‘Air Force’’ both places it appears; and

(v) in subsection (f), by striking “air base’’ and inserting “installation’’.

(B) HEADING.—The heading of such section 9773 is amended to read as follows:

“§ 9773. Acquisition and construction: installations and depots’’.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 979 of such title is further amended by striking the item relating to section 9773 and inserting the following new item:

“9773. Acquisition and construction: installations and depots’’.

(18) EMERGENCY CONSTRUCTION: FORTIFICATIONS.—Section 9776 of such title is amended by striking “air base’’ and inserting “installation’’.

(19) USE OF PUBLIC PROPERTY.—Section 9779 of such title is amended—

(A) in subsection (a), by inserting “or the Space Force’’ after “economy of the Air Force’’; and

(B) in subsection (b), by inserting “or the Space Force’’ after “support of the Air Force’’.

(20) DISPOSITION OF REAL PROPERTY AT MISSILE SITES.—Section 9781(a)(2) of such title is amended—

(A) in the matter preceding subparagraph (A), by striking “Air Force’’ and inserting “Department of the Air Force’’;

(B) in subparagraph (A), by striking “Air Force’’ the first two places it appears and inserting “Department of the Air Force’’; and

(C) in subparagraph (C), by striking “Air Force’’ and inserting “Department of the Air Force’’.

(21) MAINTENANCE AND REPAIR OF REAL PROPERTY.—Section 9782 of such title is amended in subsections (c) and (d) by inserting “for the Space Force” after “the Air Force’’ both places it appears.

(22) SETTLEMENT OF ACCOUNTS: REMISSION OR CANCELLATION OF INDEBTEDNESS OF MEMBERS.—Section 9837(a) of such title is amended by adding “or the Space Force’’ after “member of the Air Force’’.

(23) FINAL SETTLEMENT OF OFFICER’S ACCOUNTS.—

(A) IN GENERAL.—Section 9840 of such title is amended by inserting “or the Space Force’’ after “Air Force’’.

(B) TECHNICAL AMENDMENTS.—Such section 9840 is further amended—

(i) by striking “‘he’’ each place it appears and inserting “‘the officer’’; and

(ii) by striking “‘his’’ each place it appears and inserting “‘the officer’’.

(24) PAYMENT OF SMALL AMOUNTS TO PUBLIC CREDITORS.—Section 9841 of such title is amended by inserting “or Space Force’’ after “official of Air Force’’.

(25) SETTLEMENT OF ACCOUNTS OF LINE OFFICERS.—Section 9842 of such title is amended by inserting “or the Space Force’’ after “Air Force’’.

(f) SERVICE OF INCUMENTS IN CERTAIN POSITIONS WITHOUT REAPPOINTMENT.—

(1) IN GENERAL.—The individual serving in a position under a provision of law specified in paragraph (2) of the date of the enactment of this Act may continue to serve in such position after that date without further appointment as otherwise provided by such provision of law, notwithstanding the repeal of such provision of law by subsection (b).

(2) PROVISIONS OF LAW.—The provisions of law specified in this paragraph are the provisions of title 10, United States Code, as follows:

(A) Section 9020, relating to the Inspector General of the Department of the Air Force.

(B) Section 9026, relating to the Surgeon General of the Air Force.

(C) Section 9067(a), relating to the Judge Advocate General of the Air Force.

(D) Section 9093, relating to the Chief of Chaplains for the Air Force and the Space Force.

SEC. 933. AMENDMENTS TO OTHER PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) DEFINITIONS.—Section 101(b)(13) of title 10, United States Code, is amended in paragraph (13), by striking “or Marine Corps’’ and inserting “or Marine Corps, or Space Corps’’.

(b) OTHER PROVISIONS OF SUBTITLE A.—

(1) SPACE FORCE I.—Subtitle A of title 10, United States Code, as amended by subsection (a), is further amended by striking “and Marine Corps’’ each place it appears and inserting “or the Space Force’’.

(2) PROVISIONS OF LAW.—The provisions of law specified in this paragraph are the provisions of title 10, United States Code, as follows:

(A) Section 116(a)(1) in the matter preceding subparagraph (A).

(B) Section 333(a)(2).

(C) Section 466.

(D) Section 661(a).

(E) Section 712(a).

(F) Section 717(b)(1).

(G) Sections (a) and (d) of section 741.

(H) Section 743.

(I) Section 111(b)(4).

(J) Subsections (a)(2)(A) and (c)(2)(A)(1) of section 1143.

(K) Section 1174(i).

(L) Section 1653(a)(1).

(M) Section 1566.

(N) Section 2217(c)(2).

(O) Section 2259(a).

(P) Section 2469(b).

(2) SPACE FORCE II.—

(A) IN GENERAL.—Such subtitle is further amended by striking “‘Marine Corps’’ each place it appears and inserting “‘Marine Corps, or Space Corps’’ in the following provisions:

(i) Section 123(a).

(ii) Section 172(a).

(iii) Section 477.

(iv) Section 747.

(v) Section 749.

(vi) Section 1552(c)(1).

(vii) Section 2632(c)(2)(A).

(viii) Section 2586(a).

(ix) Section 2733(a).

(B) HEADING.—The heading of section 747 of such title is amended to read as follows:

“§ 747. Command: when different commands of Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard join.’’

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 43 of such title is amended by striking the item relating to section 747 and inserting the following new item:

“747. Command: when different commands of Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard join’’.

(3) SPACE FORCE III.—Such subtitle is further amended by striking “or Marine Corps’’ each place it appears and inserting “Marine Corps, or Space Force’’ in the following provisions:

(A) Section 125(b).

(B) Section 541(a).

(C) Section 601(a).

(D) Section 603(a).

(E) Section 619(a).

(F) Section 618(a).

(G) Section 624(c).

(H) Section 623(b).

(I) Subsections (a) and (d) of section 631.

(J) Section 632(a).

(K) Section 637(a)(2).

(L) Section 638(a).

(M) Section 741(d).

(N) Section 771.

(O) Section 772.

(P) Section 773.

(Q) Section 1123.

(R) Section 1277.

(S) Section 1174(a)(2).

(T) Section 1251(a).

(U) Section 1252(a).

(V) Section 1253(a).

(W) Section 1375.

(X) Section 1413(a).

(Y) Section 1551.

(Z) Section 1561(a).

(AA) Section 1731(a)(1)(A)(i).

(BB) Section 2102(a).

(CC) Section 2103(a)(2).

(DD) Section 2104(b)(5).

(EE) Section 2107.

(FF) Section 2421.

(GG) Section 2631(a).

(HH) Section 2767(a).

(I) REGULAR SPACE FORCE.—Such subtitle is further amended by striking “or Regular Marine Corps’’ each place it appears and inserting “Regular Marine Corps, or Regular Space Force’’ in the following provisions:

(A) Section 531(c).

(B) Section 532(a) in the matter preceding paragraph (1).

(C) Subsections (a)(1), (b)(1), and (f) of section 533.

(D) Section 633(a).

(E) Section 634(a).

(F) Section 635.

(G) Section 636(a).

(H) Section 647(c).

(I) Section 686(b)(1).

(J) Section 1181.

(K) REGULAR SPACE FORCE.—Such subtitle is further amended by striking “Regular Marine Corps, or Regular Space Force’’ in the following provisions:

(A) Section 505.

(B) Section 506.

(C) Section 508.

(D) TRANSFER, ETC. OF FUNCTIONS, POWERS, AND DUTIES.—Section 125(b) of such title, as amended by paragraph (3)(A), is further amended by striking “or 9062(c)” and inserting “9062(c), or 9061’’.
(7) Joint Staff matters.—
(A) Appointment of Chairman; grade and rank.—Section 152 of such title is amended—
(i) in subsection (b)(1)(C), by striking “or the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, or the Chief of Space Operations”; and
(ii) in subsection (c), by striking “or, in the case of the Navy, admiral” and inserting “or, in the case of the Navy, admiral, or, in the case of an officer of the Space Force, the equivalent grade.”
(B) Expansion of Space Force on Joint Staff.—Section 155(a) of such title is amended—
(i) in paragraph (2) by inserting “the Space Force and” before “the Coast Guard”;
(ii) by redesignating paragraph (3) as paragraph (4); and
(iii) by inserting after paragraph (2) the following new paragraph (3):
“(3) Officers of the Space Force assigned to serve on the Joint Staff shall be selected by the Chairman in a number that, to the extent practicable, bears the same proportion to the numbers of officers of the armed forces selected under paragraph (2) as the number of Regular members of the Space Force bears to the number of Regular members of the armed forces specified in that paragraph. The Commandant of the Navy and the Commandant of the Marine Corps treated as a single armed force for purposes of this paragraph.”

(8) Armed Forces Policy Council.—Section 171(a)(1) of such title is amended—
(A) in paragraph (15), by striking “and” and “or captain in the Navy”;
(B) in paragraph (16), by striking the period and inserting “; and”;
(C) by striking at the end the following new paragraph:
“(17) The Chief of Space Operations.”

(9) Joint Requirements Oversight Council.—Section 181(c)(1) of such title is amended by adding at the end the following new subparagraph:
“(K) Space Force officer in the grade equivalent to the grade of general in the Army, Air Force, or Marine Corps, or admiral in the Navy.”

(10) Unofficial Priorities.—Subsection 222(b) of such title is amended—
(A) by redesignating paragraph (5) as paragraph (6); and
(B) by inserting after paragraph (4) the following new paragraph:
“(5) The Chief of Space Operations.”

(11) Theater Security Cooperation Expression of Support.—Subsection 681(b)(1) of such title is amended by inserting “the Chief of Space Operations,” after “the Commandant of the Marine Corps,” and inserting “the Commandant of Naval Operations; Chief of Staff of the Air Force; Commandant of the Marine Corps; Chief of Space Operations.”

(12) Commission on Hemispheric Institute.—Section 343(e)(1)(K) of such title is amended by inserting “or Space Force” after “the Air Force”.

(13) Original Appointments of Commissioned Officers.—Section 531(a) of such title is amended—
(A) in paragraph (1), by striking “and in the grade of lieutenant (junior grade), and lieutenant in the Regular Navy” and inserting “in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy, and in the equivalent grades in the Regular Space Force”; and
(B) in paragraph (2), by striking “in the grades of lieutenant commander, commander, and captain in the Regular Navy, and in the equivalent grades in the Regular Space Force”.

(14) Service Credit upon Original Appointment as a Commissioned Officer.—Section 333(b)(2) of such title is amended by striking “or the Commander of the Marine Corps” and inserting “or in the case of the Navy, admiral” and inserting “or, in the case of the Navy, admiral, or, in the case of an officer of the Space Force, the equivalent grade in the Space Force”.

(15) Senior Joint Officer Positions: Recommendations to the Secretary of Defense.—Section 604(a)(1)(A) of such title is amended by inserting “the name of at least one Space Force officer” after “Air Force officer”.

(16) Force Shaping Authority.—Section 641(a)(2) of such title is amended by striking “or the following new clause (v):”.

(17) Members: Required Service.—Section 651(b) of such title is amended by striking “of his armed force”.

(18) Career Flexibility to Enhance Retention of Members.—Section 710(c)(1) of such title is amended by striking “the armed force concerned” and inserting “an armed force”.

(19) Senior Members of Military Staff Committee of United Nations.—Section 711 of such title is amended by inserting “or the Space Force” after “Air Force”.

(20) Rank: Chief of Space Operations.—
(A) In general.—Section 743 of such title is amended by striking “and the Commandant of the Marine Corps, or the Chief of Space Operations”. 
(B) Heading.—The heading of section 743 is amended by striking “the Commandant of the Marine Corps” and inserting “Chief of Space Operations”.

(21) Uniform Code of Military Justice.—Chapter 47 of such title (the Uniform Code of Military Justice) is amended—
(A) in section 822(a)(7) (article 27(a)(7)), by striking “Marine Corps” and inserting “Marine Corps, or the commanding officer of a corresponding unit of the Space Force”; and
(B) in section 823(a) (article 27(a)),—
(1) in paragraph (1), by striking “‘Air Force Base’” and inserting “‘Air Force or Space Force military installation’”;
(2) by striking “the Air Force or the Space Force”;
and
(I) in paragraph (4), by inserting “or a corresponding unit of the Space Force” after “Army”;
and
(C) in section 824(a)(3) (article 24(a)(3)), by striking “Space Force” and inserting “Air Force or Space Force”.

(22) Service as Cadet or Midshipman Not Counted for Length of Service.—Section 971(b)(2) of such title is amended by striking “Army, Air Force, or Space Force” and inserting “Air Force, or Space Force”.

(23) Referral Bonus.—Section 1030(h)(3) of such title is amended by inserting “and the Space Force” after “concerning the Air Force”.

(24) Return to Active Duty from Temporary Disability.—Section 1211(a) of such title is amended—
(A) in the matter preceding paragraph (1), by striking “or the Air Force” and inserting “the Air Force, or the Space Force”; and
(B) in paragraph (1),—
(1) by inserting “or the Air Force, who” and inserting “the Air Force, or the Space Force who”; and
(2) by striking “or the Air Force, as” and inserting “the Air Force, or the Space Force as”.

(25) Years of Service.—Section 1405(c) of such title is amended by striking “or Air Force” and inserting “. Air Force, or Space Force”.

(26) Retired Pay Base for Persons Who Became Members Before September 8, 1980.—
Section 1406 of such title is amended—
(A) in the heading of subsection (e), by inserting “and Space Force” after “Air Force”;
and
(B) in subsection (i)(3)—
(1) in subparagraph (A)—
(i) by redesignating clause (v) as clause (vi); and
(ii) by inserting after clause (iv) the following new clause (v):
“(v) Chief of Space Operations.”;
and
(ii) in subparagraph (B)—
(1) by redesignating clause (v) as clause (vi); and
(II) by inserting after clause (iv) the following new clause (v):
“(v) The senior enlisted advisor of the Space Force.”.

(27) Special Requirements for Military Personnel in the Acquisition Field.—
(A) In general.—Section 1722(a) of such title is amended by striking “and the Commandant of the Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps, respectively)” and inserting “and the Commandant of the Marine Corps, the Chief of Space Operations (with respect to the Army, Navy, Air Force, Marine Corps, and Space Force, respectively)”.

(B) Clarifying Amendment.—Such section 1722(a) is further amended by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(28) Senior Military Acquisition Advisor.—Section 1721(a)(1) of such title is amended by inserting “and Space Force” each place it appears and inserting “Air Force, Space Force, and Space Force”.

(29) Financial Assurance Program for Special Members.—Section 2307 of such title is amended—
(A) in subsection (a),—
(1) by striking “or as a” and inserting “, as”;
and
(2) by inserting “or an officer in the equivalent grade in the Space Force” after “Marine Corps.”;
and
(B) in subsection (b)—
(1) in paragraph (3), by striking the “reserve component of the armed force in which he is appointed as a cadet or midshipman” and inserting “the reserve component of an armed force”;
and
(2) in paragraph (5), by striking “reserve component of that armed force” each place it appears and inserting “reserve component of an armed force”.

(30) Acquisition-Related Functions of the Armed Forces.—Section 2547(a) of such title is amended by striking “and the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, and the Chief of Space Operations”.

(31) Agreements Related to Military Training, Testing, and Operations.—Section 2854(c) of such title is amended by inserting “Space Force,” before “or Defense-wide activities” each place it appears.

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(c) PROVISIONS OF TITLE B—
(1) IN GENERAL.—Subtitle B of title 10, United States Code, is amended by striking “Marine Corps” each place it appears and inserting “Space Force”.

(d) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c) of title 37, United States Code, is amended—
(1) by redesignating paragraph (5) as paragraph (6); and
(2) by inserting after paragraph (4) the following new paragraph:

(5) The senior enlisted advisor of the Space Force.

(e) ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.—
(1) PERSONNEL ALLOWANCE.—Section 414 of title 37, United States Code, is amended—
(A) in subsection (a)(5), by inserting “Chief of Space Operations” after “commander of the Marine Corps”;
and
(B) in subsection (b), by inserting “the senior enlisted advisor of the Space Force” after “the Sergeant Major of the Marine Corps”.

(2) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is amended—
(A) in paragraph (1), by striking “Marine Corps” and inserting “Space Force”;
(B) in paragraph (4), by striking “Marine Corps” and inserting “Space Force”.

(f) COMMISSIONED OFFICERS.—Section 8803 of such title is amended by striking “Marine Corps” and inserting “Space Force”.

(2) SALES PRICES.—
(A) IN GENERAL.—Section 8802 of such title is amended by striking “Air Force” and inserting “the Air Force, or the Space Force”.

(B) HEADING.—The heading of such section 8802 is amended to read as follows:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”

(3) SALES TO CERTAIN VETERANS.—Section 8803 of such title is amended by striking “or the Air Force” and inserting “the Air Force, or the Space Force”.

(4) SURVIVORS AND OTHER SUPPLIES.—Section 8809(d) of such title is amended by striking “or the Air Force” and inserting “Marine Corps, or Space Force”.

(5) SCOPE OF CHAPTER ON PRIZE.—Section 8851(a) of such title is amended by striking “Air Force” after “Marine Corps” and inserting “Space Force”.

SEC. 934. AMENDMENTS TO PROVISIONS OF LAW RELATING TO PAY AND ALLOWANCES.

(a) DEFINITIONS.—Section 101 of title 37, United States Code, is amended—
(1) in paragraphs (3) and (4), by inserting “Space Force” after “Marine Corps” each place it appears; and
(2) in paragraph (5)(C), by inserting “and the Space Force” after “Air Force”.

(b) BASIC PAY RATES.—

(2) ENLISTED MEMBERS.—Footnote 2 of the table titled “ENLISTED MEMBERS” in section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note) is amended by inserting after “Sergeant Major of the Marine Corps,” the following: “the senior enlisted advisor of the Space Force.”

(c) PAY GRADES: ASSIGNMENT TO GENERAL RULES.—Section 200(a) of section 37, United States Code, is amended—
(1) by striking “(a)” for purposes” and inserting “(a)(1) Subject to paragraph (2), for the purpose”;
and
(2) by adding at the end the following new paragraph:

“(2) For the purpose of computing their basic pay, commissioned officers of the Space Force are assigned to the pay grades in the table in paragraph (1) by grade or rank in the Space Force in a manner equivalent to the grade or rank in which such officers are serving in the Space Force.”

(d) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c) of title 37, United States Code, is amended—
(1) by redesignating paragraph (5) as paragraph (6); and
(2) by inserting after paragraph (4) the following new paragraph:

(5) The senior enlisted advisor of the Space Force.

(e) ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.—
(1) PERSONNEL ALLOWANCE.—Section 414 of title 37, United States Code, is amended—
(A) in subsection (a)(5), by inserting “Chief of Space Operations” after “commander of the Marine Corps”;
and
(B) in subsection (b), by inserting “the senior enlisted advisor of the Space Force” after “the Sergeant Major of the Marine Corps”.

(2) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is amended—
(A) in paragraph (1), by striking “Marine Corps” and inserting “Space Force”;
(B) in paragraph (4), by striking “Marine Corps” and inserting “Space Force”.

(f) COMMISSIONED OFFICERS.—Section 8803 of such title is amended by striking “or the Air Force” and inserting “Marine Corps, or Space Force”.

(2) SALES PRICES.—
(A) IN GENERAL.—Section 8802 of such title is amended by striking “or the Air Force” and inserting “Marine Corps, or Space Force”.

(B) HEADING.—The heading of such section 8802 is amended to read as follows:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”

(3) SALES TO CERTAIN VETERANS.—Section 8803 of such title is amended by striking “or the Air Force” and inserting “Air Force, or Space Force”.

(4) SURVIVORS AND OTHER SUPPLIES.—Section 8809(d) of such title is amended by striking “or Air Force” and inserting “Marine Corps, or Space Force”.

(5) SCOPE OF CHAPTER ON PRIZE.—Section 8851(a) of such title is amended by striking “or the Air Force” and inserting “Marine Corps, or Space Force”.

(6) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is amended—
(A) in paragraph (1), by striking “Marine Corps” and inserting “Space Force”;
(B) in paragraph (4), by striking “Marine Corps” and inserting “Space Force”.

(7) CLOTHING ALLOWANCE: COMMISSIONED OFFICERS.—Section 8851(a)(1) of such title is further amended by inserting “Space Force” after “Marine Corps, or Space Force”.

(f) TECHNICAL AMENDMENTS.—Section 906 of title 37, United States Code, is amended by striking “or the Air Force” and inserting “Marine Corps, or Space Force”.

(2) DEDUCTIONS FROM PAY.—
(A) IN GENERAL.—Section 2003 of title 37, United States Code, is amended by striking “or the Air Force, or the Space Force”.

(B) HEADING.—The heading of such section 2003 is amended to read as follows:

“2003. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls.”

(g) ADMINISTRATION OF PAY.—
(1) PROMPT PAYMENT REQUIRED.—
(A) IN GENERAL.—Section 1005 of title 37, United States Code, is amended by striking “and of the Air Force” and inserting “the Air Force, and the Space Force”.

(B) HEADING.—The heading of such section 1005 is amended to read as follows:


(h) ALLOTMENT AND ASSIGNMENT OF PAY.—
(1) IN GENERAL.—Section 1007 of title 37, United States Code, is amended—
(i) by striking “his” each place it appears and inserting “the member’s”;
and
(ii) by striking “he” and inserting “the member”.

(B) TECHNICAL AMENDMENTS.—Such section 1007 is further amended—
(1) in subsections (b), (d), (f), (g), by striking “the Air Force” and inserting “Marine Corps, or Space Force”;
and
(ii) in subsection (e), by striking “Marine Corps” and inserting “Marine Corps, or Space Force”.

(3) TECHNICAL AMENDMENTS.—Chapter 9 of such title is further amended as follows:

(A) in section 501(b)(1)—
(i) by striking “his” each place it appears and inserting “the member’s”;
and
(ii) by striking “he” and inserting “the member”.

(B) in section 502—
(i) by striking “his designated representative” each place it appears and inserting “the Secretary’s designated representative”; and
(ii) in subsection (a), by striking “he” each place it appears and inserting “the member”;
and
(iii) in subsection (b), by striking “his” and inserting “the member’s”.

(4) TECHNICAL AMENDMENTS.—Section 505 of title 37, United States Code, is amended by striking “Marine Corps” and inserting “Marine Corps, or Space Force”;

(f) TECHNICAL AMENDMENTS.—Such section 1007 is further amended—
(1) in subsection (b), by striking “him” and inserting “the member”;
and
(2) in subsection (d), by striking “his” each place it appears and inserting “the member’s”;
and
(iii) in subsection (f)—
(I) by striking “his” and inserting “the officer’s”;
and
(II) by striking “he” both places it appears and inserting “the officer”.

SEC. 935. AMENDMENTS TO PROVISIONS OF LAW RELATING TO VETERANS’ BENEFITS.

(a) ADDITION OF SPACE SERVICE TO RECOGNITION OF MILITARY, NAVAL, OR AIR SERVICE.—Title 38, United States Code, is amended by striking “or air service” and inserting “or space service.”
“air, or space service” each place it appears in the following provisions:

(a) Section 2301.
(b) Subsections (a) and (b) of section 1302.
(c) Section 1303.
(d) Section 1304.
(e) Subsections (a) and (b) of section 1305.
(f) Section 1306.
(g) Section 1307.
(h) Section 1308.
(i) Section 1309.
(j) Section 1310.
(k) Section 1311.
(l) Section 1312.
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(o) Section 1315.
(p) Section 1316.
(q) Section 1317.
(r) Section 1318.
(s) Section 1319.
(t) Section 1320.
(u) Section 1321.
(v) Section 1322.
(w) Section 1323.
(x) Section 1324.
(y) Section 1325.
(z) Section 1326.

(b) 3901(1).

(c) Section 3113(a).

(d) 3102(a)(1)(A)(ii).

(e) 3018B(a).

(f) 3018(c).

(g) 2305.

(h) 2306.

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Space Force Reserve Command. The commander of the Space Force Reserve Command reports directly to the Chief of Space Operations.

(3) LIMITATION.—A military installation (whether or not under the jurisdiction of the Department of the Air Force) may not be transferred to the jurisdiction or command of the Space Force until the Secretary of the Air Force briefs the congressional defense committees on the completion of a business case analysis, conducted by the Secretary in connection with the transfer, of the cost and efficacy of the transfer.

(4) LIMITATION.—The briefing on a business case analysis conducted pursuant to subsection (a) shall be provided not later than 15 days after the date of the completion of the business case analysis by the Secretary.

SEC. 944. CLARIFICATION OF PROCUREMENT OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 963 of title 10, United States Code, is amended by inserting before section 9532 the following new section:

"§ 9531. Procurement of commercial satellite communications services

"The Secretary of the Air Force shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.

(b) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 963 of such title is amended by inserting before section 9532 the following new section:

"§ 9531. Procurement of commercial satellite communications services."

SEC. 945. TERMINATION FROM AUTHORIZED DAILY AVERAGE OF MEMBERS IN PAY GRADES E-8 AND E-9.

Section 517 of title 10, United States Code, shall not apply to the Space Force until October 1, 2023.

SEC. 946. APPLICATION OF ACQUISITION DEMONSTRATION PROJECT TO DEPARTMENT OF THE AIR FORCE EMPLOYEES ASSIGNED TO ACQUISITION POSITIONS WITHIN THE SPACE FORCE.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1599I. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force

"For purposes of the demonstration project authorized by section 1792 of this title, the Secretary of the Air Force may apply the provisions of such section, including any regulations, procedures, waivers, or guidance implementing such section, to employees of the Department of the Air Force assigned to acquisition positions within the Space Force."

(b) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"§ 1599I. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force."

SEC. 947. AIR AND SPACE FORCE MEDAL.

(a) SUPERSEDURE OF AIRMAN’S MEDAL WITH AIR AND SPACE FORCE MEDAL.—

(1) IN GENERAL.—Section 9280 of title 10, United States Code, is amended as follows:

(A) by striking "Airman’s Medal" each place it appears and inserting "Air and Space Force Medal";

(B) in subsection (a)(1), by inserting "or the Space Force" after "the Air Force".

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 9280. Air and Space Force Medal: award; limitations."

(b) DIFFERENTIATION IN DESIGN.—The President shall ensure that the design of the Air and Space Force Medal and accompanying ribbon (and any related bar or device) differs in an appropriate manner from the design of the Airman’s Medal and accompanying ribbon, bar, or device authorized under section 9280 of title 10, United States Code (as amended by subsection (a)), and such section was in effect on the date before the date of the enactment of this Act.

SEC. 951. ANNUAL REPORT ON ESTABLISHMENT OF FIELD OPERATING AGENCIES.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2245 the following new section:

"§ 2246. Establishment of field operating agencies: annual report

"(a) ANNUAL REPORT REQUIRED.—Not later than January 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on any, field operating agency established during the preceding year.

(b) TABLE OF SECTIONS.—Each report under subsection (a) shall include, for each field operating agency covered by such report, the following:

"(1) The name of such agency.

"(2) The physical location of such agency.

"(3) The title and grade (whether military or civilian) of the head of such agency.

"(4) The chain of command, supervision, or authority through which the head of such agency reports to the Office of the Secretary of Defense or the military department or Armed Forces headquarters, as applicable.

"(5) The mission of such agency.

"(6) The number of personnel authorized to be assigned to such agency, and the number of such authorizations encumbered by military personnel and civilian employees of the Department of Defense or military department, as applicable.

"(7) The space underlying the establishment of such agency.

"(8) Any cost savings or other efficiencies that have accrued, or are anticipated to accrue, as a result of field operating agencies' establishment or its components in connection with the establishment and operation of such agency."

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by inserting after the item relating to section 2245 the following new item:

"§ 2246. Establishment of field operating agencies: annual report."

SEC. 952. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY TO THE JOINT ARTIFICIAL INTELLIGENCE CENTER OF THE DEPARTMENT OF DEFENSE.

Not later than the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the feasibility and current status of assigning members of the Armed Forces on active duty to the Joint Artificial Intelligence Center (JAI C) of the Department of Defense. The briefing shall include an assessment of such assignment on each of the following:

The strength of relationships between the Joint Artificial Intelligence Center and operational forces for purposes of—
SEC. 953. THREATS TO UNITED STATES FORCES FROM SMALL UNMANNED AERIAL SYSTEMS WORLDWIDE.

(a) FINDINGS.—Congress makes the following findings:

(1) United States military forces face an ever increasing and constantly evolving threat from small unmanned aerial systems in operations worldwide, whether in the United States or abroad.

(2) The Department of Defense is already doing important work to address the threats from small unmanned aerial systems worldwide, though the need for engagement in that area continues.

(b) EXECUTIVE AGENT.—

(1) IN GENERAL.—The Secretary of the Army is the executive agent of the Department of Defense for programs, projects, and activities to counter small unmanned aerial systems for the Department of Defense (in this section referred to as the “Counter-Small Unmanned Aerial Systems Program”).

(2) FUNCTIONS.—The functions of the Secretary as executive agent shall be as follows:

(A) To develop the strategy required by subsection (c);

(B) To carry out such other activities to counter threats to United States forces worldwide from small unmanned aerial systems as the Secretary of Defense and the Secretary of the Army consider appropriate.

(c) STRATEGY TO COUNTER THREATS FROM SMALL UNMANNED AERIAL SYSTEMS.—

(1) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall develop and submit to relevant committees of Congress a strategy for the Armed Forces to effectively counter threats from small unmanned aerial systems worldwide. The report shall be submitted in classified form.

(2) COORDINATION.—The Secretary shall coordinate the strategy with the Director of the Defense Intelligence Agency and with such other appropriate officials of the intelligence community and such other officials in the United States Government, as the Secretary determines appropriate.

(d) R EPORT ON EXECUTIVE AGENT ACTIVITIES.—

(1) REPORT REQUIRED.—Not later than 180 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report that sets forth the direct comparative analysis of the threats United States forces in combat settings face from small unmanned aerial systems and the capabilities of the United States to counter such threats. The report shall be submitted in classified form.

(2) E LEMENTS.—The report required by paragraph (1) shall include the following:

(A) An evaluation and assessment of the current and evolving threat being faced by United States forces from small unmanned aerial systems;

(B) A description of the counter-small unmanned aerial system systems acquired by the Department of Defense as of the date of the enactment of this Act, and an assessment whether such systems are adequate to meet the current and evolving threat described in subparagraph (A);

(C) AN ASSESSMENT OF EFFECTIVENESS OF UNITED STATES TECHNIQUES AND SYSTEMS.—In this subsection, the term “appropriate committees of Congress” means—

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

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives;

(f) I NDEPENDENT ASSESSMENT OF COUNTER-SMALL UNMANNED AERIAL SYSTEMS PROGRAM.—

(1) ASSESSMENT.—Not later than 60 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall submit to Congress a report that includes a Federally funded research and development center to conduct an assessment of the efficacy of the Counter-Small Unmanned Aerial Systems Program.

(2) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include the following:

(A) An identification of metrics to assess progress in the implementation of the strategy required by subsection (c), which metrics shall take into account the threat assessment required by subsection (c);

(B) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics, and recommendations for improvements in the implementation of the strategy.

(3) AN ASSESSMENT OF THE EXTENT TO WHICH THE DEPARTMENT OF DEFENSE IS COORDINATING ADEQUATELY WITH OTHER DEPARTMENTS AND AGENCIES.—An assessment of the extent to which the Department of Defense is coordinating adequately with other departments and agencies of the United States Government, and other appropriate entities, in the development and procurement of counter-small unmanned aerial systems for the Department.

(4) AN ASSESSMENT OF THE EXTENT TO WHICH THE DESIGNATION OF THE SECRETARY OF THE ARMY AS EXECUTIVE AGENT FOR SMALL UNMANNED AERIAL SYSTEMS—

(A) AN ASSESSMENT OF THE EXTENT TO WHICH THE DESIGNATION OF THE SECRETARY OF THE ARMY AS EXECUTIVE AGENT FOR SMALL UNMANNED AERIAL SYSTEMS Program has resulted in improvements for the Department of Defense in the areas of innovation and efficiency in procurement of counter-unmanned aerial systems.

(B) AN ASSESSMENT OF WHETHER UNITED STATES TECHNOLOGICAL PROGRESS ON COUNTER-SMALL UNMANNED AERIAL SYSTEMS IS SUFFICIENT TO MAINTAIN A COMPETITIVE EDGE OVER THE SMALL UNMANNED AERIAL SYSTEMS TECHNOLOGY AVAILABLE TO UNITED STATES ADVERSARIES.

(2) REPORT REQUIRED.—Not later than 180 days after entry into the contract referred to in paragraph (1), the Secretary shall submit to the congressional defense committees a report that sets forth the results of the assessment required under the contract.
SEC. 1022. WAIVER DURING WAR OR THREAT TO NATIONAL SECURITY OF RESTRICTIONS ON OVERHAUL, REPAIR, OR MODERNIZATION OF SHIPS AND VESSELS IN FOREIGN SHIPYARDS.

Section 8850 of title 10, United States Code, is amended—

(1) by redesigning subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection—

"(c) WAIVER.—(1) The Secretary of the Navy may waive the restrictions in subsections (a) and (b) for the duration of a period of threat to the national security interests of the United States upon a written determination by the Secretary that such a waiver is necessary in the national security interest of the United States.

"(2) Not later than 15 days after making a determination under paragraph (1), the Secretary shall provide to the congressional defense committees a written notification on the determination.

"(3) In this subsection, the term 'period of threat to the national security interests of the United States' means the following:

"(A) A period of war.

"(B) Any other period determined by Secretary of Defense in which the national security interests of the United States are threatened by the application, or the imminent danger of application, of physical force by any foreign government or agency against the United States, citizens of the United States, the property of citizens of the United States, or the commercial interests of citizens of the United States.

SEC. 1023. MODIFICATION OF WAIVER AUTHORITY ON PROHIBITION ON USE OF FUNDS FOR MODERNIZATION OF CERTAIN LEGACY MARITIME MINE COUNTERMEASURE PLATFORMS.

(a) In General.—Section 104(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1556) is amended by striking "certifies" and inserting "certifies", with the concurrence of the Director of Operational Test and Evaluation, certifies in writing".

(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to waivers under subsection (b)(1) of section 1046 of the National Defense Authorization Act for Fiscal Year 2018 in which the undersea section (a) that section occur on or after that date.

SEC. 1024. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.

Section 1014(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585), as most recently amended by section 1023(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1556), is further amended by striking "fiscal years 2018, 2019, or 2020" and inserting "fiscal years 2018 through 2021".

SEC. 1025. SENSE OF CONGRESS ON ACTIONS NECESSARY TO ACHIEVE A 355-SHIP NAVY.

It is the sense of Congress that to achieve the national policy of the United States to have available, as soon as practicable, not fewer than 355 battle capable ships—

(1) the Navy must be adequately resourced in advance of ship design.

(2) stable shipbuilding rates of construction should be maintained for each class, utilizing multi-year or block buy contract authorities when appropriate.

(3) new guided missile frigate construction should increase to a rate of between two and four ships per year once design maturity and construction readiness are achieved.

(4) the Columbia-class submarine program should be funded with additions to the Navy budget significantly above the historical average, given the critical single national mission that these vessels will perform and the high priority of the shipbuilding budget for implementing the National Defense Strategy.

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(5) stable shipbuilding rates of construction should be maintained for each vessel class, utilizing multi-year or block buy contract authorities when appropriate.
SECTIONS

SEC. 1041. INCLUSION OF DISASTER-RELATED EMERGENCY PREPAREDNESS ACTIVITIES AUTHORIZED BY THE DEPARTMENT OF DEFENSE IN MILITARY FINANCE ACTIVITIES AUTHORITIES FOR SALE OR DONATION OF EXCESS PROPERTY OF THE DEPARTMENT OF DEFENSE.

(a) INCLUSION.—Subsection (a)(1)(A) of section 2576a of title 10, United States Code, is amended by inserting “disaster-related emergency preparedness,” after “counterterrorism,”.

(b) PREFERENCE IN TRANSFERS.—Subsection (d) of such section is amended to read as follows:

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(d) PREFERENCE FOR CERTAIN TRANSFERS.—In considering applications for the transfer of personal property under this section, the Secretary shall give a preference to applications indicating that the transferred property will be used in the counterterrorism, disaster-related emergency preparedness, or border security activities of the recipient agency. Applications that request vehicles used for disaster-related emergency preparedness, such as high-water rescue vehicles, should receive the highest preference.
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SEC. 1042. EXPENDITURE OF FUNDS FOR DEPARTMENT OF DEFENSE CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

(a) AUTHORITY.—Subsection (b) through (d), the Secretary of Defense may expend up to $15,000,000 in any fiscal year for clandestine activities for any purpose the Secretary determines to be proper for preparation of the environment for operations of a confidential nature. Such a determination is final and conclusive upon the accounting officers of the Department of Defense. The Secretary may certify the amount of any such expenditure authorized by the Secretary that the Secretary considers advisable not to specify, and the Secretary’s certificate is sufficient voucher for the expenditure of that amount.

(b) FUNDS.—Funds for expenditures under this section in a fiscal year shall be derived from amounts authorized to be appropriated for that fiscal year for operation and maintenance, Defense-wide.

(c) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate the authority to make expenditures under this section.

(d) EXCLUSION OF INTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—This section does not constitute authority to conduct, or expend funds for, intelligence, counterintelligence, or intelligence-related activities.

(2) DEFINITIONS.—In this subsection, the terms “intelligence” and “counterintelligence” have the meaning given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 300).

(e) ANNUAL REPORT.—Not later than December 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on expenditures made under this section during the fiscal year preceding the year in which the report is submitted. Each report shall include, for each expenditure under this section during the fiscal year covered by such report—

(1) the amount and date of such expenditure;

(2) a detailed description of the purpose for which such expenditure was made; and

(3) an explanation why other authorities available to the Department of Defense could not be used for such expenditure; and

(4) any other matter the Secretary considers appropriate.

SEC. 1043. CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS UNDER CHAPTER 47A OF TITLE 10, UNITED STATES CODE, TO PUNISH CONTEMPT.

(a) CLARIFICATION.—

(1) IN GENERAL.—Subchapter IV of chapter 47A of title 10, United States Code, is amended by adding at the end the following new section:

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§ 949o–1. Contempt

(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, any judicial officer specified in paragraph (2) may punish for contempt any person who—

(A) uses any menacing word, sign, or gesture; or

(B) disturbs the proceeding by any riot or disorder; or

(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

(2) A judicial officer referred to in paragraph (1) is any of the following:

(A) Any judge of the United States Court of Military Commission Review.

(B) Any military judge detailed to a military commission or any other proceeding under this chapter.

(3) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed confinement for 30 days, a fine of $1,000, or both.

(4) REVIEW.—(1) A punishment under this section—

(A) is not reviewable by the convening authority of a military commission under this chapter;

(B) if imposed by a military judge, shall constitute a judgment, subject to review in the first instance only by the United States Court of Military Commission Review and then only by the United States Court of Appeals for the District of Columbia Circuit; and

(C) if imposed by a judge of the United States Court of Military Commission Review, shall constitute a judgment, subject to review only by the United States Court of Appeals for the District of Columbia Circuit.

(2) If imposing a punishment for contempt imposed under this section, the reviewing court shall affirm such punishment unless the reviewing court finds that imposing such punishment was an abuse of the discretion of the judicial officer who imposed such punishment.

(3) A petition for review of punishment for contempt imposed under this section shall be filed not later than 60 days after the date on which the authenticated record upon which the contempt punishment is based and any contempt proceedings conducted by the judicial officer are served on the person punished for contempt.

(d) PUNISHMENT NOT CONVICT.—Punishment for contempt is not a conviction or sentence within the meaning of section 949m of this title. The imposition of punishment for contempt is not governed by other provisions of this chapter applicable to military commissions, except that the Secretary of Defense may prescribe procedures for contempt proceedings and punishments, pursuant to the authority provided in section 949a of this title.

(b) CONFORMING AMENDMENTS.—Section 949J of title 10, United States Code, is amended—

(1) by striking paragraph (31); and

(2) by redesigning paragraph (32) as paragraph (31).
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(c) RULE OF CONSTRUCTION.—The amendments made by subsections (a) and (b) shall not be construed to affect the effectiveness of any punishment for contempt adjudged prior to the effective date of such amendments.

SEC. 1044. PROHIBITION ON ACTIONS TO INFRINGE UPON AMERICAN RIGHTS OF PEACEABLE ASSEMBLY AND PETITION FOR REDRESS OF GRIEVANCES.

(a) ARCTIC PLANNING AND IMPLEMENTATION.

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall begin planning for an expanded role of the Armed Forces in the Arctic that may include more effective means of countering terrorism, disaster-related emergencies, and the capability development of the Armed Forces in the Arctic. The Secretary shall establish a research and development program on the current and future requirements and needs of the Armed Forces for operations in the Arctic.

(b) ARCTIC RESEARCH AND DEVELOPMENT PROGRAM.

(1) IN GENERAL.—If pursuant to subsection (a), the Secretary of Defense determines that an expanded role for the Armed Forces in the Arctic is in the national security interests of the United States, the Secretary shall establish a research and development program on the current and future requirements and needs of the Armed Forces for operations in the Arctic.

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

(A) Development of programs for operating in extreme weather environments of the Arctic, including equipment for individual members of the Armed Forces, ground vehicles, and communications systems.

(B) Development of a plan for fielding future weapons platforms able to operate in Arctic conditions for surface combatants, submarines, aviation platforms, seal craft, unit connectors, auxiliaries, littoral craft, unmanned aerial vehicles, and any other systems that may be needed in the Arctic.

(C) Development of a system to monitor, assess, and predict environmental and weather conditions in the Arctic and their effect on military operations.

(D) Determining requirements for logistics and sustainment of the Armed Forces operating in the Arctic.

SEC. 1045. ARCTIC PLANNING, RESEARCH, AND DEVELOPMENT.

(a) ARCTIC PLANNING AND IMPLEMENTATION.

(1) IN GENERAL.—The Secretary of Defense shall take into account the security risks of 5G and 6G telecommunications network architecture, including the use of telecommunications equipment provided by at-risk vendors such as Huawei Technologies Company, Ltd., and
the Zhongxing Telecommunications Equipment Corporation (ZTE), in all future overseas stationing decisions of the Department of Defense, including—

(i) any event that occurs in a Department of Defense installation or facility with which an individual by the Secretary of Defense or the Deputy Secretary of Defense shall be notified of any covered individuals whom the Secretary of Defense shall provide a briefing to the appropriate congressional committees regarding the establishment of any Department of Defense installations or facilities within the United States; and (ii) any event that occurs in a Department of Defense installation or facility with which the Secretary of Defense shall provide a briefing to the appropriate congressional committees regarding the impact and effects of this section.

(c) Notification.—The Secretary of Defense shall submit a report to the appropriate congressional committees on the date of the enactment of this Act, the Secretary of Defense, through the Veterans Affairs Committee of the Senate; and

(3) Immediate family member.—The term “immediate family member” means—

(A) spouse;

(B) children and stepchildren;

(C) siblings, stepsiblings, and half-siblings; and

(D) grandchildren and stepgrandchildren.

(4) United States.—The term “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands.

(c) Establishment of Vetting Procedures; Monitoring Requirements for Certain Military Training.—

(A) Establishment of Vetting Procedures.—

(i) 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; and

(1) biographic and biometric screening of covered individuals;

(2) continuous review of whether covered individuals should continue to be authorized such physical access;

(3) biographic checks of the covered individual’s immediate family members; and

(4) any other measures that the Secretary of Defense determines appropriate for vetting.

(B) Information Required.—The Secretary of Defense shall provide the information required to conduct the vetting.

(C) Collection of Information.—The Secretary of Defense shall—

(i) establish a system to collect information from the covered individuals under the procedures established under this subsection; and

(ii) as required for the effective implementation of this section, shall seek to enter into agreements with the relevant Federal departments and agencies to facilitate the sharing of information in the possession of such departments and agencies concerning the covered individuals.

(2) Determination Authority.—

(A) Review of Vetting.—

(i) will be reviewed within the Department of Defense by an organization with an assigned security and counterintelligence mission; and

(ii) will be the basis for that organization’s recommendation regarding whether physical access should be authorized by the appropriate authorities.

(B) Effect of Denial.—If the organization recommends that a covered individual not be authorized physical access to Department of Defense installations and facilities within the United States, such physical access may only be authorized for such covered individual by the Secretary of Defense or the Deputy Secretary of Defense.

(C) Notification.—The Secretary of Defense shall be notified of any covered individuals who are not authorized physical access based on the results of the vetting under this subsection.

(3) Additional Security Measures.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) ensure that all Department of Defense Common Access Cards issued to foreign nationals in the United States comply with the credentialing standards issued by the Office of Personnel Management; and

(B) include a visual indicator, as required by the standard developed by the National Institute of Standards and Technology; (C) establish a policy regarding the possession of firearms on Department of Defense property by covered individuals; and

(D) ensure that covered individuals who have been granted physical access are incorporated into the Department of Defense Insider Threat Program.

(4) Notification.—The Secretary of Defense shall submit a report to the appropriate congressional committees of the establishment of the procedures required under paragraph (1), (d) Reporting Requirements.—

(1) Briefing.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees regarding the establishment of any Department of Defense policy or guidance related to the implementation of this section.

(2) Report.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the appropriate congressional committees regarding the impact and effects of this section, including—

(A) any positive or negative impacts on the training of foreign military students; (B) the effectiveness of the vetting procedures implemented in preventing harm to United States military personnel or communities; (C) how any of the negative impacts have been mitigated; and

(D) a proposed plan to mitigate any ongoing negative impacts to the vetting and training of foreign military students by the Department of Defense.

SEC. 1048. REPORTING OF ADVERSE EVENTS RELATING TO CONSUMER PRODUCTS ON MILITARY INSTALLATIONS.

(a) In General.—The Secretary of Defense shall ensure that any adverse event related to a consumer product that occurs on a military installation is reported on the website saferproducts.gov.

(b) Definitions.—In this section:

(1) Adverse event.—The term “adverse event” means—

(A) any event that indicates that a consumer product—

(i) fails to comply with an applicable consumer product safety rule or with a voluntary consumer product safety standard upon which the Consumer Product Safety Commission has relied under section 9 of the Consumer Product Safety Act (15 U.S.C. 2054A); or

(ii) contains a defect which could create a substantial product hazard described in section 15(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2054a); or

(B) any other harm described in subsection (a)(1) of section 15(a) of the Consumer Product Safety Act (15 U.S.C. 2055a) and required to be reported in the database established under subsection (a) of that section.

(c) Consumer product.—The term “consumer product” has the meaning given that term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052).

SEC. 1049. EXCLUSION OF UNITED STATES NAVAL SEA CADET CORPS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.

Section 508(d) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph (14):

“(14) The United States Naval Sea Cadet Corps.”.

SEC. 1050. DEPARTMENT OF DEFENSE POLICY FOR THE REGULATION OF DANGEROUS DOGS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense 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.—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, non-breed-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.
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(C) Promotion and communication of resources for pet spaying and neutering.

(D) Investment in community education initiatives, such as teaching criteria for pet selection and responsible pet ownership, and appropriate interaction with dogs.

(e) MILITARY COMMUNITIES DEFINED.—In this section, the term "military communities" means—

(1) all installations of the Department; and

(2) all military housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

SEC. 1051. SENSE OF CONGRESS ON THE BASING OF KC–46A AIRCRAFT OUTSIDE THE CONTIGUOUS UNITED STATES.

It is the sense of Congress that the Secretary of the Air Force, as part of the strategic basing process for KC–46A aircraft at installations outside the contiguous United States (OCONUS), should—

(1) consider the benefits derived from basing such aircraft at locations that—

(A) support day-to-day air refueling operations, operations plans of multiple combatant commands, and flexibility for contingency operations;

(B) have—

(i) a strategic location that is essential to the defense of the United States and its interests;

(ii) airports for boom or probe-and-drogue combat training opportunities with joint and international partners; and

(iii) sufficient airfield and airspace availability and capacity to meet requirements;

(C) that take full advantage of existing infrastructure to provide—

(i) runway, hangars, and aircrew and maintenance operations;

(ii) sufficient fuel receipt, storage, and distribution for 5-day peacetime operating stock; and

(iii) minimize overall construction and operational costs;

(2) prioritize United States responsiveness and flexibility to continued long-term great power competition and other major threats, as outlined in the 2017 National Security Strategy and the 2018 National Defense Strategy; and

(3) take into account the advancement of adversary weapons systems, with respect to both capacity and range.

SEC. 1052. EFFICIENT USE OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall issue revised guidance authorizing and directing Government agencies and their appropriately cleared contractors to process, store, use, and discuss sensitive compartmented information (SCI) at facilities previously approved by the Secretary without need for further approval by agency or by site. Such guidance shall apply to controlled access programs of the intelligence community and to special access programs of the Department of Defense.

SEC. 1053. ASSISTANCE FOR FARMER AND RANCHER STRESS AND MENTAL HEALTH OF INDIVIDUALS IN RURAL AREAS.

(a) DEFINITIONS OF SECRETARY.—In this section, the term "Secretary" means the Secretaries of Agriculture.

(b) FINDINGS.—Congress finds that—

(1) According to the Centers for Disease Control and Prevention, the suicide rate is 45 percent greater in rural areas of the United States than the suicide rate in urban areas of the United States.

(2) Farmers face social isolation, the potential for financial losses, barriers to seeking mental health services, and access to lethal means to commit suicide; and

(3) As commodity prices fall and farmers face uncertainty, reports of farmer suicides are increasing.

(c) PUBLIC SERVICE ANNOUNCEMENT CAMPAIGN TO ADDRESS FARM AND RANCH MENTAL HEALTH.

(1) IN GENERAL.—The Secretary, 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.

(2) REQUIREMENTS.—The public service announcement campaign under paragraph (1) shall include television, radio, print, outdoor, and digital public service announcements.

(3) CONTRACTOR.—The Secretary may enter into a contract or other agreement with a third party or other entity to carry out the campaign under paragraph (1).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $3,000,000, to remain available until expended.

(d) EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.

(1) IN GENERAL.—The Secretary shall establish a voluntary program 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.

(2) REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report on the results of the pilot program being carried out by the Secretary as of the date of enactment of this section to train employees of the Department in the management of stress experienced by farmers and ranchers, and based on the recommendations contained in that report, the Secretary shall develop a training program to carry out subsection (a).

(e) REPORT.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the implementation of this section.

(f) CARRYING OUT SECTION 219B.—

(A) IN GENERAL.—The Secretary shall establish a voluntary program 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) REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Agriculture, Nutrition, and Forestry 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. 1054. ADDITIONAL CONDITIONS AND LIMITATIONS ON THE TRANSFER OF DEPARTMENT OF DEFENSE REAL PROPERTY FOR LAW ENFORCEMENT ACTIVITIES.

(a) ADDITIONAL TRAINING OF RECIPIENT AGENCY PERSONNEL REQUIRED.—Subsection (b)(6) of section 2576a of title 10, United States Code, is amended by inserting before the period at the end of the following new subsection:

"(d) PROPERTY NOT TRANSFERABLE.—Such section is further amended—

(1) by deleting subsections (e) and (f) as subsections (l) and (g), respectively; and

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

"(e) PROPERTY NOT TRANSFERABLE.—The service announcement campaign to address farmer and rancher stress may not be transferred to any Tribal, State, or local law enforcement agency under this section the following:

(A) Bayonets.

(B) Grenades (other than stun and flash-bang grenades).

(C) Weaponized tracked combat vehicles.

(D) Weaponized drones.

Subtitle F—Studies and Reports

SEC. 1061. REPORT ON POTENTIAL IMPROVEMENTS TO CERTAIN MILITARY EDUCATIONAL INSTITUTIONS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 1, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in section 1061 of title 10, United States Code.

(2) CONDUCTING ORGANIZATION.—The review and assessment required for purposes of the report shall be performed by an organization independent of the Department of Defense specified by the Secretary to carry out the review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in section 1061 of title 10, United States Code.

(3) REVIEWING OFFICERS.—The review and assessment shall be performed by an organization specified by the Secretary to carry out the review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in section 1061 of title 10, United States Code.

(4) REVIEWING OFFICERS.—The review and assessment shall be performed by an organization specified by the Secretary to carry out the review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in section 1061 of title 10, United States Code.
1063. STUDIES ON THE FORCE STRUCTURE FOR MARINE CORPS AVIATION.—

(a) STUDIES REQUIRED.—The Secretary of Defense shall provide for performance of three studies on the force structure for Marine Corps aviation through 2030.

(b) REPORT RESULTS.—The results of each of the three studies performed pursuant to subsection (a) shall be prepared by each of the following:

(1) The Secretary of the Navy, in consultation with the Commandant of the Marine Corps.

(2) An appropriate Federally funded research and development center (FFRDC), as selected by the Secretary for purposes of this section.

(3) An appropriate organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such code, as selected by the Secretary for purposes of this section.

(4) INDEPENDENT PERFORMANCE.—Each study performed pursuant to subsection (a) shall be performed independently of each other such study.

(5) MATTERS TO BE CONSIDERED.—In performing a study pursuant to subsection (a), the officer or entity performing the study shall consider:


(B) The 2018 Force Development Plan.

(C) Potential roles and missions for Marine Corps aviation.

(D) The potential for increased requirements for survivable and dispersed strike aircraft.

(E) The potential for increased requirements for tactical or intratheater lift, amphibious lift, or surface connectors.

(f) STUDY RESULTS.—The results of each study performed pursuant to subsection (a) shall include the following:

(1) The various force structures for Marine Corps aviation through 2030 considered under such study, together with the assumptions and possible scenarios identified for each such force structure.

(2) A recommendation for the force structure for Marine Corps aviation through 2030, including the following in connection with such force structure:

(A) Numbers and type of aviation assets, number of supporting activities, and the assets, and basic capabilities of each such asset.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth a plan for the modernization of the capabilities provided by the current North Warning System.

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

(A) A detailed timeline for the modernization of the capabilities provided by the current North Warning System.

(B) The technological advancements necessary for ground-based North Warning System sites to address current and anticipated threats (as specified by the Commander of the North American Aerospace Defense Command).

(C) An assessment of the number of future North Warning System sites required in order to address current and anticipated threats (as so specified).

(D) Any new or complementary technologies required to accomplish the mission of the North Warning System.

(3) The cost and schedule, by year, of the plan.

1062. REPORTS ON STATUS AND MODERNIZATION OF THE NORTH WARN-ING SYSTEM.—

(a) REPORT ON STATUS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the North Warning System.

(b) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description and assessment of the status of the infrastructure of the North Warning System.

(B) An assessment of the technology currently used by the North Warning System compared to each of the technologies considered necessary by the Commander of the North American Aerospace Defense Command to detect current and anticipated threats.

(C) An assessment of the infrastructure and ability of the Alaska Radar System to integrate into the broader North Warning System.

(D) An assessment of the ability of the North Warning System to integrate with current and anticipated space-based sensor platforms.

(E) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth a plan for the modernization of the capabilities provided by the current North Warning System.

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

(A) A detailed timeline for the modernization of the capabilities provided by the current North Warning System.

(B) The technological advancements necessary for ground-based North Warning System sites to address current and anticipated threats (as specified by the Commander of the North American Aerospace Defense Command).

(C) An assessment of the number of future North Warning System sites required in order to address current and anticipated threats (as so specified).

(D) Any new or complementary technologies required to accomplish the mission of the North Warning System.

(E) The cost and schedule, by year, of the plan.

1064. STUDY ON UNEMPLOYMENT RATE OF FEMALE VETERANS WHO SERVED ON ACTIVE DUTY IN THE ARMED FORCES AFTER SEPTEMBER 11, 2001.—

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Bureau of Labor Statistics of the Department of Labor, shall conduct a study on why Post-9/11 Veterans who are female and veterans who are non-veterans, are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(2) CONDUCT OF STUDY.—

(A) IN GENERAL.—The Secretary shall conduct the study under paragraph (1) primarily through the Center for Women Veterans under section 318 of title 38, United States Code.

(B) CONSULTATION.—In carrying out the study conducted under paragraph (1), the Secretary may consult with:

(i) Other Federal agencies, such as the Department of Defense, the Office of Personnel Management, and the Small Business Administration;

(ii) Foundations; and

(iii) Entities in the private sector.

(c) EDUCATIONAL LEVEL UPON SUCH SEPARATION.—

(1) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who were female are at higher risk of unemployment than all other important of female veterans and their non-veteran counterparts.

(2) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who retired from military service are at higher risk of unemployment than all other important of female veterans and their non-veteran counterparts.

(3) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who were female are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(d) OTHER CONSIDERATIONS.—

(1) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who were female are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(2) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who retired from military service are at higher risk of unemployment than all other important of female veterans and their non-veteran counterparts.

(3) The percentage of female Veterans who served on active duty in the Armed Forces after September 11, 2001, who were female are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(e) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of each study performed pursuant to subsection (a).

(2) FORM.—The report under this subsection shall be submitted in unclassified form, and may include classified information.
SEC. 1056. REPORT ON GREAT LAKES AND INLAND WATERWAYS SEAPORTS.

(a) Report Required.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security of the Senate and the Committee on Homeland Security of the House of Representatives containing the results of the review and an explanation of the methodology used for the review required pursuant to subsection (b) regarding the screening practices for foreign cargo arriving at seaports on the Great Lakes and inland waterways.

(2) Form.—The report required under paragraph (1) shall be submitted in an unclassified form, to the maximum extent possible, but may include a table or annex, if necessary.

(b) Scope of Review.—

(1) SEAPORT SELECTION.—In selecting seaports on inland waterways to include in the review required pursuant to subsection (a), the Secretary of Homeland Security shall ensure that the inland waterways seaports—

(A) are equal in number to the Great Lakes seaports included in the review;

(B) are comparable to Great Lakes seaports included in the review, as measured by number of imported shipments arriving at the seaport each year; and

(C) are covered by at least the same number of Field Operations offices as the Great Lakes seaports included in the review, but are not covered by the same Field Operations offices as such Great Lakes seaports.

(2) ELEMENTS.—The Secretary of Homeland Security shall conduct a review of all Great Lakes and selected inland waterways seaports that receive international cargo—

(A) to determine, for each such seaport—

(i) the current screening capability, including the types and numbers of screening equipment and whether such equipment is physically located at a seaport or assigned and available in the area and made available to use;

(ii) the number of U.S. Customs and Border Protection personnel assigned to a Field Operations office, broken out by role;

(iii) the expenditures for procurement and overtime incurred by U.S. Customs and Border Protection during the most recent fiscal year;

(iv) the types of cargo received, such as containerized, break-bulk, and bulk;

(v) the legal entity that owns the seaport;

(vi) a description of U.S. Customs and Border Protection’s use of space at the seaport, including—

(I) whether U.S. Customs and Border Protection or the General Services Administration owns or leases any facilities; and

(II) if U.S. Customs and Border Protection is provided space at the seaport, a description of such space, including the number of workstations; and

(vii) the current cost-sharing arrangement for screening technology or reimbursable services.

(B) to identify, for each Field Operations office—

(i) any ports of entry that are staffed remotely through VideoRay drones;

(ii) the distance of each such service port from the corresponding ports of entry; and

(iii) the number of officer and the types of equipment U.S. Customs and Border Protection utilizes to screen cargo entering or exiting through such ports;

(C) that includes a threat assessment of incoming cargo transported in uncontainerized and noncontainerized cargo at Great Lakes seaports and selected inland waterways seaports.

SEC. 1066. REPORT ON THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) Report Required.—Not later than 60 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 Chemical and Biological Defense Program of the Department of Defense.

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

(1) An assessment of the significance of the Chemical and Biological Defense Program within the 2018 National Defense Strategy.

(2) A description and assessment of the threats the Chemical and Biological Defense Program is designed to address.

(3) An assessment of the capacity of the Chemical and Biological Defense Program facilities to complete their missions if funding levels are reduced.

(4) An estimate of the length of time required to return the Chemical and Biological Defense Program to its current capacity if funding levels for the Program as described in paragraph (3) are restored.

(5) An assessment of the threat posed to members of the Armed Forces as a result of a reduction in testing of gear for field readiness by the Chemical and Biological Defense Program by reason of reduced funding levels for the Program.

(6) A description and assessment of the necessity of Non Traditional Agent Defense Testing under the Chemical and Biological Defense Program for Individual Protection, Joint SBSS, CBRN ECSS, field decontamination systems, and chemical agent detectors.

(c) Form.—The report required by subsection (a) shall be submitted in classified form, available for review by any Member of Congress, but shall include an unclassified summary.


(a) In General.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an updated assessment of the estimated cost of constructing, maintaining, and operating a strategic port in the Arctic at each potential site evaluated in the report pursuant to section 1752(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92). The report under this subsection shall include an estimate of the number of days per year that such port would be usable by vessels of the Navy and the Coast Guard.

(b) Designation of Strategic Arctic Ports.—Not later than 90 days after the date on which the report required by subsection (a) is submitted, the Secretary of Defense may, in consultation with the Chairman of the Joint Chiefs of Staff and the Secretary of the Navy, designate the Commandant of the United States Army Corps of Engineers, the Commandant of the Coast Guard, and the Administrator of the Maritime Administration to prepare and submit reports as Department of Defense Strategic Arctic Ports from the sites identified in the report referred to in subsection (a).

(c) Use of Congressional Oversight.—Nothing in this section may be construed to authorize any additional appropriations for the Department of Defense for the establishment of any port designated pursuant to this section.

(d) Arctic Defined.—In this section, the term “Arctic” has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (Public Law 98–238).

SEC. 1082. PERSONAL PROTECTIVE EQUIPMENT MATTERS.

(a) Briefings on Fielding of Newest Generation of PPE to the Armed Forces.—

(1) Briefings Required.—Not later than January 31, 2021, each Secretary of a military department shall submit to Congress a briefing on the fielding of the newest generations of personal protective equipment (PPE) to the Armed Forces under the jurisdiction of such Secretary.

(b) Elements.—Each briefing under paragraph (1) shall include, for each Armed Force covered by such briefing, the following:

(A) A description and assessment of the fielding of newest generation personal protective equipment to members of such Armed Force, including the following:
the Defense Occupational and Environmental Health Agency (DHA) shall develop and maintain a system for tracking data on injuries among members of the Armed Forces of the United States in connection with ill-fitting or malfunctioning personal protective equipment.

(b) Scope of System.—The system required by this subsection may include—

(1) data and documentation concerning the ill-fitting or malfunctioning personal protective equipment; and

(2) information concerning the injuries of members of the Armed Forces of the United States in connection with ill-fitting or malfunctioning personal protective equipment.

(c) Assessments of Members of the Armed Forces of Injuries Incurred in Connection With Ill-Fitting or Malfunctioning Personal Protective Equipment.—

(1) In General.—Each health assessment specified in paragraph (2) that is undertaken after the date of the enactment of this Act shall include an assessment concerning the ill-fitting or malfunctioning personal protective equipment of covered members.

(2) Assessments.—The health assessments specified in this paragraph are as follows:

(A) a review of the (i) the number (aggregated by sex, race, and ethnicity) of members of the Armed Forces of the United States in connection with ill-fitting or malfunctioning personal protective equipment; and (ii) the number (aggregated by sex) of members of the Armed Forces of the United States in connection with injuries of members of such Armed Forces;

(B) a post-deployment health assessment of members of the Armed Forces;

(C) a post-deployment health assessment of members of the Armed Forces.

SEC. 1085. ESTIMATE OF DAMAGES FROM FEDERAL COMMUNICATIONS COMMISSION ORDER 20-48.

(a) Limited Estimate and Certification.—None of the funds authorized to be appropriated by this Act for fiscal year 2021 may be used to pay the Secretary of Defense for compensatory and other awards and damages awarded under the Federal Communications Commission on April 19, 2020 (FCC 20-48) unless the Secretary of Defense—

(1) certifies to Congress that the congressional defense committees are aware of the extent of covered costs and the range of eligible reimbursable costs associated with interference resulting from such order and authorization to the Global Positioning System of the Department of Defense; and

(2) certifies to Congress that the congressional defense committees are aware that the estimate submitted under paragraph (1) is accurate with a high degree of certainty.

(b) Cost of Equipment.—For purposes of this section, covered costs include costs that would be incurred—

(1) to upgrade, replace, or repair potentially affected receivers of the Federal Government;

(2) to modify, repair, or replace equipment, such as navigation and auxiliary equipment, software, facilities, operating manuals, training, or compliance with regulations, including with regard to the underlying platform or system that is part of the Global Positioning System; and

(3) for personnel of the Department to engineer, validate, and verify that any required remediation provides the Department with the same operational capability for the affected system prior to terrestrial operation in the 1525 to 1559 megahertz or 1602.5 to 1606.5 megahertz bands of electromagnetic spectrum.

(c) Costs.—For purposes of this section, the range of eligible reimbursable costs includes—

(1) costs associated with engineering, equipment, software, site acquisition, and construction;

(2) any transaction expense that the Secretary determines is legitimate and prudent;

(3) costs relating to term-limited Federal civil servant and contractor staff; and

(4) the costs of research, engineering studies, or other expenses the Secretary determines is reasonable.

SEC. 1086. MODERNIZATION EFFORT.

(a) Definitions.—In this section—

(1) the term ‘‘Assistant Secretary’’ means the Assistant Secretary of Commerce for Communications and Information;

(2) the term ‘‘covered agency’’ means any Federal entity that the Assistant Secretary determines is appropriate; and

(b) Range of Eligible Reimbursable Costs.—For purposes of this section, the range of eligible reimbursable costs includes—

(1) costs associated with engineering, equipment, software, site acquisition, and construction;

(2) any transaction expense that the Secretary determines is legitimate and prudent;

(3) costs relating to term-limited Federal civil servant and contractor staff; and

(4) the costs of research, engineering studies, or other expenses the Secretary determines is reasonable.

(c) Spectrum Information Technology Modernization.—

(I) 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 plans 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.

(II) Report.—The report required under paragraph (I) shall include—

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

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

(C) 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 chapter II of title 47, United States Code;

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

(iii) enhance automation and workflows, and reduce the scope and level of manual effort; and

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

(E) an operations and maintenance plan with respect to the modernized infrastructure of the NTIA described in that paragraph;
Department of Defense involving information at multiple levels of classification; and
(iii) a strategy for addressing, within the modernized infrastructure of the Department of Defense described in that paragraph, the exchange of information between the Department of Defense and the NTIA in order to accomplish required processing of all Department of Defense intelligence through the Infrastructure of covered agencies;
(iv) a description of any challenges faced by the head of a covered agency under paragraph (iv), including with respect to the use of frequencies that are assigned to the agency, which shall include a description of any challenges faced by the head of the covered agency that the NTIA, as described in that paragraph, including the cost of any personnel and equipment relating to that maintenance;
(v) a plan for 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
(vi) a timeline for completion of the modernization efforts described in that paragraph and any future maintenance with respect to the modernization plans of all covered agencies.

(f) INTERAGENCY INPUTS.—
(1) REQUIREMENT.—Each report submitted by the head of a covered agency under paragraph (1) shall—
(A) include—
(i) an assessment of the current, as of the date 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 any future maintenance with respect to the modernization plans of all covered agencies;
(iii) a description 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 described in subsection (c); and
(iv) with respect to the report submitted by the Secretary of Defense—
(I) a strategy for the integration of systems, 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; and
(II) a plan for the implementation of solutions to the use of Federal spectrum by the Department of Defense involving information at multiple levels of classification; and
(B) identify the economic functions of relevant sectors that should be prioritized for operation during a significant event, including—
(i) bulk power and electric transmission; and
(ii) national and international financial systems; national security; and
(v) mechanisms for the interstate and international trade and distribution of materials, food, and medical supplies, including road, rail, air, and maritime shipping;
(2) CONTENTS.—Each report submitted by the head of a covered agency under subsection (d) shall—
(A) be consistent with—
(i) a free market economy; and
(ii) the rule of law; and
(B) respect private property rights.

SEC. 1085. SENSE OF SENATE ON GOLD STAR FAMILIES REMEMBRANCE WEEK.
(a) FINDINGS.—The Senate makes the following findings:
(1) The last Sunday in September—
(A) is designated as ‘‘Gold Star Mother’s Day’’ under section 111 of title 36, United States Code; and
(B) was designated as ‘‘Gold Star Mother’s Day’’ under the Joint Resolution entitled ‘‘Joint Resolution designating the last Sunday in September as Gold Star Mother’s Day, and for other purposes’’, approved June 29, 1936 (49 Stat. 1895).
(2) There is no date dedicated to families affected by the loss of a loved one who died in service to the United States.
(3) A gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces.
(4) The sacrifices and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States.
(5) The service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States.
(6) The sacrifices of the families of the fallen members of the Armed Forces and the families of veterans of the Armed Forces should never be forgotten.

(b) RESOLUTION OF THE SENATE.—It is the sense of the Senate that the Senate—
(1) designates the week of September 20 through September 26, 2020, as ‘‘Gold Star Families Remembrance Week’’;
(2) honors and recognizes the sacrifices made by—
(i) the families of members of the Armed Forces who made the ultimate sacrifice in order to defend freedom and protect the United States; and
(ii) the families of veterans of the Armed Forces; and
(3) encourages the people of the United States to observe Gold Star Families Remembrance Week by—
(A) performing acts of service and good will in their communities; and
(B) celebrating families in which loved ones made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.
(F) incorporate, to the greatest extent practicable, the principles and practices contained within Federal plans for the continuity of Government and continuity of operations maintained by the United States; and

(G) identify—

(i) industrial control networks on which the interests of national security outweigh the importance of maintaining the confidentiality of Internet connectivity, including networks that are required to maintain defense readiness; and

(ii) for each industrial control network described in subparagraph (I), the most feasible and optimal locations for the installation of—

(I) parallel services;

(II) redundant or analog services; and

(III) services that are otherwise hardened against failure;

(H) identify critical economic sectors for which the provision of services of a protected, verified, and uncorrupted status would be required for the quick recovery of the economy of the United States in the face of a significant disruption following a significant event;

(I) include a list of raw materials, industrial goods, and other items, the absence of which may significantly undermine the ability of the United States to sustain the functions described in subparagraphs (B), (D), and (E)

(J) provide an analysis of supply chain diversification for the items described in subparagraph (I) in the event of a disruption caused by a significant event;

(K) include—

(i) a recommendation as to whether the United States should maintain a strategic reserve of 1 or more of the items described in subparagraph (I); and

(ii) for each item described in subparagraph (I) for which the President recommends maintaining a strategic reserve under clause (i), an identification of mechanisms for tracking inventory and availability of the item in the strategic reserve;

(L) identify mechanisms in existence on the date of enactment of this Act and mechanisms that can be developed to ensure that the swift transport and delivery of the items described in subparagraph (I) is feasible in the event of a distribution network disturbance or degradation, including a distribution network disturbance or degradation caused by a significant event;

(M) include guidance for determining the prioritization for the distribution of the items described in subparagraph (I), including distribution to States and Indian Tribes;

(N) consider the advisability and feasibility of mechanisms for extending the credit of the Federal government to States and Tribal governments for providing other financial support authorized by law to key participants in the economy of the United States if the extension or provision of other financial support is necessary to avoid severe economic degradation; or

(ii) allows for the recovery from a significant event;

(O) include guidance for determining categories of employees that should be prioritized to continue to work in order to sustain the functions described in subparagraphs (B), (D), and (E) in the event that there are limitations on the ability of individuals to travel to workplaces or to work remotely, including considerations for defense readiness;

(P) identify critical economic sectors necessary to provide material and operational support for the conduct of United States operations; and

(Q) determine whether the Secretary of Homeland Security, the National Guard, and the Secretary of Defense have adequate authority to maintain the necessary economic sectors against failure;

(R) review and assess the authority and capability of heads of other agencies that the President determines necessary to assist the United States in a recovery from a severe economic degradation caused by a significant event; and

(S) consider any other matter that would aid in protecting and increasing the resilience of the United States from a significant event.

(b) COORDINATION.—In developing the plan required under subsection (a)(1), the President shall—

(1) receive advice from—

(A) the Secretary of Homeland Security; (B) the Secretary of Defense; (C) the Secretary of the Treasury; (D) the Secretary of Health and Human Services; (E) the Secretary of Commerce; (F) the Secretary of Transportation; (G) the Secretary of Energy; (H) the Administrator of the Small Business Administration; and

(I) the head of any other agency that the President determines necessary to complete the plan.

(2) consult with economic sectors relating to critical infrastructure through sector-organized councils, as appropriate;

(3) consult with State, Tribal, and local governments and organizations that represent those governments; and

(4) consult with any other non-Federal entity that the President determines necessary to complete the plan.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the President shall submit the plan required under subsection (a)(1) and the information described in paragraph (2) to—

(A) the majority and minority leaders of the Senate;

(B) the Speaker and the minority leader of the House of Representatives;

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

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

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

(F) the Committee on Homeland Security and Governmental Affairs of the House of Representatives;

(G) the Committee on Health, Education, Labor, and Pensions of the Senate;

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

(I) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(J) the Committee on Finance of the Senate;

(K) the Committee on Finance of the House of Representatives;

(L) the Committee on Financial Services of the House of Representatives;

(M) the Committee on Small Business and Entrepreneurship of the Senate;

(N) the Committee on Small Business of the House of Representatives;

(O) the Committee on Energy and Natural Resources of the Senate;

(P) the Committee on Environment and Public Works of the Senate; and

(Q) any other committee of the Senate or the House of Representatives that has jurisdiction over the subject of the plan.

(2) ADDITIONAL INFORMATION.—The information described in this paragraph is—

(A) any change to Federal law that would be necessary to implement the plan required under subsection (a)(1); and

(B) any proposed changes to the funding levels provided in appropriation Acts for the fiscal year in which the most recent report under section 551 of title 5, United States Code, is submitted by the President under section 1105(b) of title 31, United States Code.

(d) DEFINITIONS.—In this section:

(1) the term "agency" means any agency of the United States; (2) the term "economic sector" means a sector of the economy of the United States; (3) the term "significant event" means—

(A) the Federal government; (B) a State, local, or Tribal government; or (C) the private sector.

(4) The term "significant event" means an event that causes severe degradation to economic activity in the United States due to—

(A) a cyber attack; or

(B) another significant event that is natural or human-caused.

(5) The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

SEC. 1087. IMPROVING THE AUTHORITY FOR OPERATIONS OF UNMANNED AIRCRAFT FOR EDUCATIONAL PURPOSES.

Section 350 of the FAA Reauthorization Act of 2018 (Public Law 115–224; 49 U.S.C. 44809 note) is amended—

(1) in the section heading, by striking "AT INSTITUTIONS OF HIGHER EDUCATION" and inserting "FOR EDUCATIONAL PURPOSES"; and 

(2) in subsection (a)—

(A) by striking "aircraft system operated by" and inserting the following: "aircraft system:"; "(1) operated by"; "(2) flown as part of the established curriculum of an educational institution that is approved by the Secretary of Transportation and is chartered by a recognized community-based organization as defined in subsection (h) of such section."); "(2) flown as part of the established curriculum of an educational institution that is approved by the Secretary of Transportation and is chartered by a recognized community-based organization as defined in subsection (h) of such section."); "(2) flown as part of the established curriculum of an educational institution that is approved by the Secretary of Transportation and is chartered by a recognized community-based organization as defined in subsection (h) of such section."); and

(B) in paragraph (1), as added by subparagraph (A), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end following:

(2) "flown as part of the established curriculum of an educational institution that is approved by the Secretary of Transportation and is chartered by a recognized community-based organization as defined in subsection (h) of such section.");

(3) flown as part of an established Junior Reserve Officers’ Training Corps (JROTC) program; or

(4) flown as part of an educational program that is chartered by a recognized community-based organization (as defined in subsection (h) of such section)."

SEC. 1088. REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 551(b) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking "and" at the end

(2) in paragraph (3), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (3) the following:

(4) "the Internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the Internet website under section 1021 of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov)."."
SEC. 1080. MODIFICATION OF LICENSURE REQUIREMENTS FOR HEALTH CARE PROFESSIONALS PROVIDING TREATMENT VIA TELEMEDICINE.

Section 1790(c)(b) of title 38, United States Code, is amended to read as follows:—

"(b) HEALTH CARE PROFESSIONALS. — For purposes of this section, a covered health care professional is any of the following individuals:—

"(1) a health care professional who—

"(A) is an employee of the Department appointed under section 7306, 7401, 7405, 7406, or 7408 of this title or title 5;

"(B) is authorized in the Secretary to provide health care under this chapter;

"(C) is required to adhere to all standards for quality relating to the provision of health care services as the Department of Veterans Affairs may establish, with applicable standards of the Department; and

"(D)(i) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional; or

"(ii) with respect to a health care profession listed under section 7402(b) of this title, has the qualifications for such profession as set forth by the Secretary.

"(2) A postgraduate health care employee who—

"(A) is appointed under section 7401(1), 7401(3), or 7405 of this title or title 5 for any category of personnel described in paragraph (1) or (3) of section 7401 of this title;

"(B) must obtain an active, current, full, and unrestricted license, registration, or certification or meet qualification standards set forth by the Secretary within a specified time frame; and

"(C) is under the clinical supervision of a health care professional described in paragraph (1); or

"(D) any health professions trainee who—

"(A) is appointed under section 7405 or 7406 of this title; and

"(B) is under the clinical supervision of a health care professional described in paragraph (1)."

SEC. 1090. RESTRICTIONS ON CONFUCIUS INSTITUTES.

(a) DEFINITION. — In this section, the term "Confucius Institute" means a cultural institute directly or indirectly funded by the Government of the People’s Republic of China.

(b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An institution of higher education or other educational institution (referred to in this section as an "institution") shall not be eligible to receive Federal funds from the Department of Education (except funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or other Department of Education funds that are provided directly to students) unless the institution—

(1) protect academic freedom at the institution;

(2) prohibit the application of any foreign law on any campus of the institution; and

(3) obtain full managerial authority of the Confucius Institute to the institution, including full control over what is being taught, the activities carried out, the research grants, and the activities of instructors who are employed at the Confucius Institute.

SEC. 1090A. ADDITIONAL CARE FOR NEWBORN CHILDREN OF VETERANS.

Section 1701 of title 38, United States Code, is amended—

(1) in subsection (a), by striking "The Secretary" and inserting "Except as provided in subsection (c) of this section; and"

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

"(c) EXCEPTION BASED ON MEDICAL NECESSITY.—Pursuant to such regulations as the Secretary shall prescribe to carry out this section, the Secretary may furnish more than seven days of health care services described in subsection (b), and may furnish transportation necessary to receive such services, to a newborn child based on medical necessity if the child is in need of additional care, including if the child has been discharged or released from a hospital and requires readmission to ensure the health and welfare of the child.

SEC. 1090B. ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HEBRIDIC AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN THE REPUBLIC OF VIETNAM.

Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraphs:

"(D) Parkinsonism.

"(E) Bladder cancer.

"(F) Hypothyroidism.

Subtitle H—Wireless Supply Chain Innovation and Multilateral Security

SEC. 1091. DEFINITIONS.

In this subtitle:

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

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

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

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

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

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

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

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

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

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

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

(F) the Committee on Appropriations of the Senate;

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

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

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

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

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

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

SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY FUNDS.

(a) USE OF DIGITAL TELEVISION TRANSITION AND PUBLIC SAFETY FUND. — As soon as practicable after the date of enactment of this Act, the Commission shall transfer from the Digital Television Transition and Public Safety Fund established under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E))—

(1) $50,000,000 to the Public Wireless Supply Chain Innovation Fund established under subsection (b) of this section; and

(2) $25,000,000 to the Multilateral Telecommunications Equipment Security and Innovation Fund established under subsection (c) of this section.

(b) PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—

(1) ESTABLISHMENT.—

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

(B) AVAILABILITY.—

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

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

(2) USE OF FUND.—

(A) IN GENERAL.—Amounts deposited in the R&D Fund shall be available to the NTIA Administrator to make grants under this subsection in such amounts as the NTIA Administrator may determine for the purposes of subsection (b), subject to subparagraph (B) of this paragraph.

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

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

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

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

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

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

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

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

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

(4) NONDUPICLATION OF RESEARCH.—To the greatest extent practicable, the NTIA Administrator shall ensure that any research funded by this subsection avoids duplication of other Federal or private sector research.

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

(ii) Any amounts remaining in the Multilateral Telecommunications Security Fund after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(B) ADMINISTRATION OF FUND.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, shall, in consultation with the Secretary of the Treasury, the Director of National Intelligence, 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,

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

(ii) The advisory committee established under subparagraph (A) shall be composed of—

(i) representatives from—

(1) the Commission;

(ii) the Department of Defense;

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

(iv) the National Institute of Standards and Technology;

(v) the Department of State;

(vi) the National Science Foundation; and

(vii) the Department of Homeland Security;

and

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

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

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

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

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

(ii) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(A) ESTABLISHMENT OF FUND.—

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

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

(iii) A VAILABILITY.—

(A) I N GENERAL.—Amounts deposited in the Multilateral Telecommunications Security Fund—

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

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

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

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

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

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

(C) an account of—

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

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

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

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

SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN INTERNATIONAL ORGANIZATIONS AND COMMUNICATIONS STANDARD-SETTNG BODIES.

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

(i) the International Telecommunication Union (commonly known as ‘‘ITU’’);

(ii) the International Organization for Standardization (commonly known as ‘‘ISO’’);

(iii) the Inter-American Telecommunications Commission (commonly known as ‘‘CITEL’’); and

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

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

(c) DEFINITIONS.—In this section—

(i) 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, 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;

(ii) the term ‘‘covered entity’’ means a private entity, a consortium of private entities, or a portfolio 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, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(iii) the term ‘‘foreign adversary’’ means any foreign government or foreign non-government person that is engaged in a long-term pattern, or is involved in a serious instance, of conduct that is significantly adverse to the national security of the United States or an ally of the United States; or

(iv) the term ‘‘foreign government’’ means any foreign government person that is engaged in a long-term pattern, or is involved in a serious instance, of conduct that is significantly adverse to the national security of the United States or an ally of the United States; or

(v) the term ‘‘covered incentive’’—

(A) means an incentive offered by a governmental entity to a covered entity for the construction, expansion, or modernization of a facility that—

(i) is engaged in the fabrication, assembly, testing, advancement, or modernization of a facility that is significantly adverse to the national security of the United States or an ally of the United States; or

(ii) is engaged in a long-term pattern, or is involved in a serious instance, of conduct that is significantly adverse to the national security of the United States or an ally of the United States; or

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, funding for research and development with respect to semiconductors, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(i) the covered entity has a documented interest in constructing, expanding, or modernizing a facility described in subsection (a); 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 Federal Government;
(bb) programs to expand employment opportunity for economically disadvantaged individuals; and
(III) made commitments from regional educational and training entities and institutions of higher education to provide workforce training, including programming for training to support the establishment of economically disadvantaged individuals.

(C) Considerations for Review.—With respect to the Secretary of an application submitted by a covered entity under subparagraph (A)—
(i) the Secretary may not approve the application if the proposal includes commitments to worker and community investment that have been completed or received a grant made under this subsection;
(ii) the Secretary determines that issuing such a grant would be inconsistent with applicable eligibility criteria under subsection (b); and
(iii) the Secretary determines that issuing such a grant would be inconsistent with applicable eligibility criteria under subsection (b).


SEC. 105. DEFINITIONS.

(a) Department of Defense Efforts.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the Director of National Intelligence, work with the private sector through a public-private partnership, including—

(ii) that were constructed, expanded, or modernized under this section; and
(iii) projects, as administered by the Department of Defense, of the National Security Innovation Fund, including efforts to hire individuals from disadvantaged populations; and
(iv) research and development carried out with grants made under the program;

(i) that subsection during the period covered by paragraph (A) and not less frequently than once every 10 years, the Comptroller General of the United States; or
(ii) the results of each review conducted under paragraph (1) and the biennial reports by the Comptroller General of the United States.

(b) Grant Programs.—

(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—

(ii) at least 60 days before the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for microelectronics technology, subject to the availability of appropriations for that purpose.

(3)OTHER INITIATIVES.—The Secretary of Defense shall deliberate initiatives within the Department of Defense to advance radio frequency, mixed signal, radiation tolerant, and radiation hardened microelectronics that support national security and dual-use applications.

(4)Reports.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the plans of the Secretary of Defense to 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, Technology, and Logistics, as appropriate.

(2)Biennial Reports by Comptroller General of the United States.—Not later than 1 year after the date on which the Comptroller General of the United States submits the report required by paragraph (1) 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.

(5)Defense Production Act of 1950 Efforts.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report on a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for microelectronics technology, subject to the availability of appropriations for that purpose.

(2)Consultation.—The President shall develop the plan required by paragraph (1) in coordination with the Department of Defense, the Federal Energy Administration, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and other appropriate authorities and agencies of the United States, the Secretary of Commerce, and other appropriate authorities and agencies of the United States. The President shall ensure that the plan is consistent with applicable laws and regulations, and with the requirements of Federal law.
SEC. 1096. DEPARTMENT OF COMMERCE STUDY ON STATUS OF MICROELECTRONICS TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) In general.—(1) Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce shall conduct a review of the United States industrial base and the interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of microelectronics.

(b) Response to survey.—The Secretary shall ensure compliance with the survey from among all relevant potential respondents, including the following:

(1) Corporations, partnerships, associations, or any other organized groups domiciled within the United States, including any businesses engaged in the manufacture, design, and end use of microelectronics.

(2) Corporations, partnerships, associations, or any other organized groups domiciled outside the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with substantial operations in the United States.

(4) Foreign domiciled corporations, partnerships, associations, or any other organized groups domiciled in the United States with operations outside the United States.

(5) United States Armed Forces.

(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, and end use of microelectronics by such entity:

(1) Identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of microelectronics development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) Identification of all relevant intellectual property, raw materials, and semifinished goods and components sourced domestically and abroad by such entity.

(5) Specifications of the microelectronics manufactured or designed by such entity, descriptions of the end-uses of such microelectronics, and a description of any technical support provided by licensed or sold users of such microelectronics by such entity.

(6) Information on domestic and export market sales by such entity.

(7) Information on the financial performance, including income and expenditures, of such entity.

(b) In general.—(1) 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 of the United States industrial base and the interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of microelectronics.

(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, and end use of microelectronics by such entity:

(1) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(2) 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 military agreements, or partnerships may occur.

(d) Report.—(1) In general.—The Secretary of Commerce shall, in consultation with 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 under paragraph (a). The report shall include the following:

(A) An assessment of the results of the survey.

(B) A list of critical technology areas impacted by potential disruptions in production of microelectronics, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the microelectronics supply chain and the national industrial supply base.

(2) Form.—The report required by paragraph (1) may be submitted in classified form.

SEC. 1097. FUNDING FOR DEVELOPMENT AND ADOPTION OF MEASURABLY SECURE MICROELECTRONICS AND MEASURABLY SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) Multilateral Microelectronics Security Fund.

(1) Establishment of fund.—There is established in the Treasury of the United States a trust fund, to be known as the “Multilateral Microelectronics Security Fund” (in this section referred to as the “Fund”), consisting of such amounts as may be appropriated to such Fund and any amounts that may be credited to the Fund under paragraph (2).

(2) Investment of amounts.—(A) Investment of amounts.—The Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) Interest and proceeds.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(3) Use of fund.—(A) General.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of measurably secure microelectronics and measurably secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) Availability contingent on international agreement.—Amounts in the Fund shall be available only to the Secretary of State on and after the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(4) Availability agreements.

(A) General.—Amounts in the Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(B) Remainder to Treasury.—Any amounts remaining in the Fund after the end of the tenth fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.

(5) Common funding mechanism for development and adoption of measurably secure microelectronics and measurably secure microelectronics supply chains.

(A) General.—The Secretary, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, and the National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(B) Mutual commitments.—The Secretary of State, in consultation with the United States Trade Representative, the Secretary of the Treasury, and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to microelectronics;

(E) align policies on supply chain integrity and microelectronics security, including with respect to protection and enforcement of intellectual property rights; and

(F) promote harmonized foreign direct investment screening measures with respect to microelectronics to meet national and multilateral security priorities.

(C) Annual report to Congress.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(4), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that are partners of the United States to providing funding for the common funding mechanism described in paragraph (1) and the specific amount so committed;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund;
SEC. 1098. ADVANCED SEMICONDUCTOR RESEARCH AND DEVELOPMENT.

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

(1) the Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, and the Committee on Armed Services 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 Foundation 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 Commerce, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology, the subcommittee shall establish in the National Science Foundation a semiconductor research and development program to foster the development of high-quality semiconductor research and development.

       (ii) REPORTING AND UPDATES.—Not less frequently than once every 5 years, to update the strategy under clause (i), the subcommittee shall submit to the Congress a report that includes a strategy for the development of high-quality semiconductor research and development.

       (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 funding and budgets to ensure consistency with the National Semiconductor Strategy.

   (B) FOSTERING COORDINATION OF RESEARCH AND DEVELOPMENT.—The subcommittee shall foster the coordination of semiconductor research and development.

   (C) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

       (i) ESTABLISHMENT.—The Secretary of Commerce shall establish a national semiconductor technology center to conduct research and development under one roof.

       (ii) AUTHORITY.—The President shall establish in the National Science Foundation a Semiconductor Technology Center a subcommittee on the mission of the National Science Foundation to advise the President on matters relating to microelectronics policy.

   (D) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

       (i) ESTABLISHMENT.—The Secretary of Commerce shall establish a national semiconductor technology center to conduct research and development of semiconductor devices and processes in 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.

       (ii) FUNCTIONS.—The functions of the center established under paragraph (1) shall be as follows:

           (A) To conduct advanced semiconductor manufacturing research and prototyping that strengthens the entire domestic ecosystem and is aligned with the National Strategy on Semiconductor Research.

           (B) To establish a Semiconductor Manufacturing Program led by the National Institute of Standards and Technology, in coordination with the Center, to strengthen semiconductor device, test, assembly, and packaging capabilities 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 semiconductor devices and ensure the competitiveness and security 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 and deliver workforce training programs and apprentice- ship in advanced microelectronic packaging capabilities.

   (3) COMMISSION.—

       (A) Research to support the virtualization and automation of maintenance of semiconductor reliability.

       (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 secure the U.S. can build and maintain a trusted and predicable talent pipeline.

       (D) DOMESTIC PRODUCTION REQUIREMENTS.—The head of any executive agency receiving funding under this section shall develop policies to ensure domestic production of microchips and automated systems to the extent possible, for any intellectual property resulting from microelectronics research and development conducted as a result of these funds and domestic control requirements to protect any such intellectual property from foreign adversaries.

SEC. 1099. PROHIBITION RELATING TO FOREIGN ADVERSARIES.

None of the funds appropriated pursuant to this title shall be used by the U.S. for any foreign adversary (as defined in section 1091(a)(4)) to support the virtualization and automation of maintenance of semiconductor reliability.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Department of Defense Matters

SEC. 1101. ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS

(a) IN GENERAL.—Subchapter I of chapter 87 of title 10, United States Code, is amended by inserting after section 1701a the following new section:

"SEC. 1701a. Enhanced pay authority for certain acquisition and technology positions.

"(a) In General.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (b) to fix the pay rates of individual positions described in subsection (c) in order to attract and retain high-quality acquisition and technology experts in positions responsible for managing and developing complex, high-cost, technology acquisition efforts of the Department of Defense.

"(b) APPROVAL REQUIRED.—The program may be carried out only with approval as follows:

   (1) Approval of the Under Secretary of Defense for Acquisition and Sustainment, in the case of positions in the Office of the Secretary of Defense.

   (2) Approval of the service acquisition executive of the military department concerned, in the case of positions in a military department.

"(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

   (1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition and Sustainment or the service acquisition executive concerned, as applicable.

   (2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level
I of the Executive Schedule, upon the approval of the Secretary of Defense.

"(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time.

(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term ‘science and technology reinvention laboratories of the Department of Defense’ means the laboratories identified in section 2358(b) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 37 of title 10, United States Code, is amended by inserting after the item relating to section 1107 the following new item:

'170b. Enhanced pay authority for certain acquisition and technology positions.'.

(c) REPEAL OF PILOT PROGRAM.—

(1) IN GENERAL.—Section 1111 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 1701 note) is repealed.

(2) CONTINUATION OF PAY.—The repeal in paragraph (1) shall not be interpreted to prohibit the payment of basic pay at rates fixed under such section 1111 before the date of the enactment of this Act for positions having terms that continue after that date.

SEC. 1102. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN THE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to attract and retain personnel with significant experience in high level management with complex organizations and enterprisers from the Federal Government, the private sector, and the academic sector.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 38, United States Code, is amended by inserting after the item relating to section 2358(b) the following new item:

'2358c. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.'.

(c) REPEAL OF PILOT PROGRAM.—

(1) IN GENERAL.—Section 1124 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2456; 10 U.S.C. 2358 note) is repealed.

(2) CONTINUATION OF PAY.—The repeal in paragraph (1) shall not be interpreted to prohibit the payment of basic pay at rates fixed under such section 1124 before the date of the enactment of this Act for positions having terms that continue after that date.

SEC. 1103. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN HIGH-LEVEL MANAGEMENT POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to attract and retain personnel with significant experience in high-level management of complex organizations and enterprises from the Federal Government, the private sector, and the academic sector.

(b) APPROVAL REQUIRED.—The pilot program may be carried out only with approval as follows:

(1) Approval of the Secretary of Defense, in the case of a position not under the authority, direction, and control of an Under Secretary of Defense and not under the authority, direction, and control of the Under Secretary of a military department.

(2) Approval of the applicable Under Secretary of Defense, in the case of a position under the authority, direction, and control of an Under Secretary of Defense.

(3) Approval of the Secretary or an Assistant Secretary of the military department concerned, in the case of a position in a military department.

(c) POSITIONS.—The positions described in this subsection are positions that require expertise of an extremely high level in innovative leadership and management of enterprisers from the Federal Government, the private sector, and the academic sector.

(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the applicable official under subsection (b).

(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in any one military department at any one time.

SEC. 1104. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK DEPLOYS OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYMENT IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking "December 31, 2020." both places it appears and inserting "December 31, 2023."

SEC. 1105. EXPANSION OF DIRECT HIRE AUTHORITY FOR CERTAIN DEPARTMENT OF THE NAVY PERSONNEL TO INCLUDE INSTALLATION MILITARY HOUSING OFFICE POSITIONS SUPERVISING MILITARY HOUSING.

Section 9905(a) of title 5, United States Code, is amended by adding at the end the following new paragraph:

'(11) Any position in the military housing office of a military installation whose primary function is supervision of military housing covered by subchapter IV of chapter 109 of title 10.''

SEC. 1106. EXTENSION OF SUNSET OF INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY QUALIFICATION AND CERTIFICATION REVIEW BOARD OF OFFICE OF PERSONNEL MANAGEMENT FOR INITIAL APPOINTMENTS TO SENIOR EXECUTIVE SERVICE POSITIONS IN DEPARTMENT OF DEFENSE.

(3) Term of positions.—The authority in subsection (a) may be used only for positions having terms less than five years.

(4) Past Service.—An individual may not be appointed to a position pursuant to the authority provided by subsection (a) if the individual separated or retired from Federal civil service or service as a commissioned officer or grade officer on a date that is less than five years before the date of such appointment of the individual.

(5) Termination.—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2025.

SEC. 1108. PILOT PROGRAM ON EXPANDED AUTHORITY FOR APPOINTMENT OF RECENTLY RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) Pilot Program Required.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of expanding the use of the authority in section 3326 of title 5, United States Code, to appoint retired members of the Armed Forces described in section 2(b) of that section to positions in the Department of Defense described in section 2(b) of this section.

(b) Positions.—

(1) In General.—The positions in the Department of Defense described in this subsection are positions classified at or below GS–13 under the general schedule under subchapter III of chapter 33 of title 5, United States Code, as added by subsection (a) of section 1599i of title 10, United States Code, and all that follows and inserting the following:

(2) Limitation on Delegation of Certifications.—The Secretary of Defense may not delegate the authority to make a certification described in paragraph (1) to an individual in a grade lower than colonel, captain in the Navy, or an equivalent grade in an Armed Force, to an individual with an equivalent civilian grade.

(3) Duration.—The duration of the pilot program shall be two years.

(d) Report.—Not later than two years after the commencement of the pilot program, the Secretary of Defense shall submit to the congressional defense committees a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including to which appointments are authorized to be made under the pilot program and the number of retired members appointed to each such position under the pilot program.

(B) Any other matters in connection with the pilot program that the Secretary considers appropriate.

SEC. 1109. DIRECT HIRE AUTHORITY AND RELLOCATION INCENTIVES FOR POSITIONS AT REMOTE LOCATIONS.

(a) In General.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

'*§ 1599i. Direct hire authority and relocation incentives for positions at remote locations

"(a) I N GENERAL.—The Secretary of Defense may appoint, without regard to any provision of subchapter I of chapter 33 of title 5, qualified applicants to positions in the competitive service to fill vacancies at covered locations.

"(b) COVERED LOCATIONS.—For purposes of this section, a covered location is a location for which the Secretary has determined that critical hiring needs are not being met due to geographic remoteness or isolation or extreme climate conditions of the location.

"(c) RELOCATION INCENTIVES.—

"(1) IN GENERAL.—An individual appointed to a position pursuant to subsection (a) may be paid a relocation incentive in connection with the relocation of the individual to the location of the position.

"(2) AMOUNT.—The amount of a relocation incentive payable to an individual under this subsection may not exceed the amount equal to—

(A) 25 percent of the annual rate of basic pay of the employee for the position concerned as of the date on which the service period in such position agreed to by the individual under paragraph (3) commences; multiplied by

(B) the number of years (including fractions thereof) of such service period (not to exceed four years).

"(3) SERVICE AGREEMENT.—To receive a relocation incentive under this subsection, an individual appointed to a position under subsection (a) shall enter into an agreement with the Secretary of Defense to complete a period of service at the covered location. The period of obligated service of the individual at such location under the agreement may not exceed four years.

The agreement shall include such repayment or alternative employment obligations of the individual as the Secretary considers appropriate for failure of the individual to complete the period of obligated service specified in the agreement.

"(4) RELATIONSHIP TO OTHER RELocation INCENTIVES.—A relocation incentive paid to an individual for a relocation under this subsection is in addition to any other relocation incentive or payment payable to the individual for such relocation by law.

"(5) leave accrual and use shall be consistent with other applicable law and regulation.

"(b) OUTCOME MEASUREMENTS.—The Secretary of Defense shall develop outcome measurements to evaluate the effect of the authority provided under subsection (a) of this section and all that follows; and

"(1) number of years (including fractions thereof) of such obligated service.

"(c) Report Required.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commander, Navy Region Mid-Atlantic, shall establish and carry out, for a period of not less than five years, a Fire Fighters Alternating Work Schedule Demonstration Project for the Navy Region Mid-Atlantic Fire and Emergency Services. Such demonstration project shall provide, with respect to each employee of the Navy Region Mid-Atlantic Fire and Emergency Services, that—

(A) assignments to duty are scheduled in advance over periods of not less than two weeks;

(B) tours of duty are scheduled using a regularly recurring pattern of 48-hour shifts followed by 48 or 72 consecutive non-work hours, as determined by mutual agreement between the Commander, Navy Region Mid-Atlantic, and the exclusive employee representative; and

(C) employees are paid a relocation incentive in connection with the geographic remoteness or isolation or extreme climate conditions of the location;

"(2) any adverse impact of the demonstration project; and

"(3) any financial savings or expenses directly and inseparably linked to the demonstration project.

(b) Report.—Not later than 180 days after the date on which the demonstration project under this section terminates, the Commander, Navy Region Mid-Atlantic, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing—

(A) any financial savings or expenses directly and inseparably linked to the demonstration project; and

(B) any adverse impacts of the demonstration project occurring solely as the result of the transition to the demonstration project.
SEC. 1100B. REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON DIVERSITY AND INCLUSION WITHIN THE CIVILIAN WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 1 year after enactment of this act, the Comptroller General of the United States shall submit to Congress a report on issues related to diversity and inclusion within the civilian workforce of the Department of Defense.

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

(1) A description of the demographic composition of the civilian workforce of the Department.

(2) An assessment of any differences in promotion outcomes among demographic groups in the civilian workforce of the Department.

(3) An assessment of the extent to which the Department has identified barriers to diversity in its civilian workforce.

Subtitle B—Government-Wide Matters

SEC. 1111. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1112. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMATURE RETIREMENT AND AGGRESSIVE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


SEC. 1113. TECHNICAL AMENDMENTS TO AUTHORITY FOR REIMBURSEMENT OF FEDERAL, STATE, AND LOCAL INCOME TAXES INCURRED DURING TRAVEL, TRANSPORTATION, AND RELOCATION.

(a) IN GENERAL.—Section 524(b)(1) of title 5, United States Code, is amended—

(1) by striking “or relocation expenses reimbursed” and inserting “and relocation expenses reimbursed”;

(2) by striking “or chapter 41” and inserting “chapter 41”;

(3) by striking “or chapter 41” and inserting “or chapter 41”;

(4) by striking “and chapter 37” and inserting “and chapter 37”;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, immediately after the coming into effect of the amendments made by subsection (a) of section 1113 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as provided for in subsection (c) of such section 1113.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR FOREIGN OPERATIONS.

Section 333(a)(1) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) Cyberspace operations.”.

SEC. 1202. AUTHORITY TO BUILD CAPACITY FOR AIR SOVEREIGNTY OPERATIONS.

Section 333(a)(1) of title 10, United States Code, as amended by section 1201, is further amended—

(1) by redesigning paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following new paragraph:

“(7) Air sovereignty operations.”.

SEC. 1203. MODIFICATION TO THE INTER-EUROPEAN AIR FORCES ACADEMY.

Section 350(b) of title 10, United States Code, is amended by striking “that are” and all that follows through the period at the end and inserting “that are”—

“(1) members of the North Atlantic Treaty Organization;”.

“(2) signatories to the Partnership for Peace Framework Documents; or

“(3)(A) within the United States Air Force Academy;”.

“(B) eligible for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).”.

SEC. 1204. MODIFICATION TO SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARRIORS.

Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1309), as most recently amended by section 1207 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–428; 132 Stat. 5509), is further amended by inserting “$10,000,000” and inserting “$15,000,000”.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

(a) FUNDS AVAILABLE FOR SUPPORT.—Subsection (b) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended to read as follows:

“(1)(A) funds available for support.—

Amounts to provide support under the authority of subsection (a) may be derived only from amounts authorized to be appropriated and available for operation and maintenance, Defense-wide.

(2) extension.—Subsection (b) of such section is amended by striking “December 31, 2018” and inserting “December 31, 2023.”

SEC. 1206. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.

(a) IN GENERAL.—Section 344 of title 10, United States Code, is amended—

(1) in the section heading, by striking “‘multinational military centers of excellence’” and inserting “‘multinational centers of excellence’”;

(2) by striking “multinational military centers of excellence” each place it appears and inserting “multinational center of excellence”;

(3) by striking “multinational military centers of excellence” each place it appears and inserting “multinational centers of excellence”;

(4) in subsection (b)(1), by inserting “or entered into by the Secretary of Defense” after “Secretary of Defense”;

(5) in subsection (e)—

(A) in the subsection heading, by striking “MULTINATIONAL MILITARY CENTER OF EXCELLENCE” and inserting “MULTINATIONAL CENTER OF EXCELLENCE”;

(B) by redesigning paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and moving the subparagraphs two ems to the right;

(C) in the matter preceding subparagraph (A), as so redesignated, by striking “means an” and inserting “means—

“(1) an entity;”.

(D) in subparagraph (D), as so redesignated, by striking the period at the end and inserting “,”.

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

“(2) the European Centre of Excellence for Countering Hybrid Threats, established in 2017 and located in Helsinki, Finland.”;

(6) by redesigning subdivision (e) as subdivision (f) and redesignating paragraphs (1) through (3) as (a) through (c), respectively; and

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

“(e) NOTIFICATION.—Not later than 30 days before the date on which the Secretary of Defense authorizes participation in a new multinational center of excellence, the Secretary shall notify the congressional defense committees of such participation.”.

(b) CONFORMING AMENDMENT.—Title 10, United States Code, is amended, in the table of sections at the beginning of subchapter V of chapter 10, by striking “344” and inserting the following:

“344. Participation in multinational centers of excellence.”


(a) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending on September 30, 2025, the Secretary of Defense shall undertake activities consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–428; 131 Stat. 1302) and with the guidance specified in this section, including—

(1) establishing a Department of Defense policy and programs that advance the implementation of that Act, including military doctrine and Department-specific and combatant command-specific programs;

(2) ensuring the Department sufficient personnel to serve as gender advisors, including by hiring and training full-time equivalent personnel, as necessary and establishing roles, responsibilities, and requirements for gender advisors;

(3) the deliberate integration of gender analysis into relevant training for members of the Armed Forces across ranks, as described in the Women’s Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–426; 132 Stat. 5599); and

(4) security cooperation activities that further the implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–428; 131 Stat. 1302).

(b) BUILDING PARTNER DEFENSE INSTITUTION AND SECURITY FORCE CAPACITY.—

(1) INCORPORATION OF GENDER ANALYSIS AND PARTICIPATION INTO SECURITY COOPERATION ACTIVITIES.—Consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–88; 131 Stat. 1322), the Secretary of Defense, in consultation with the Secretary of State, shall seek to incorporate gender analysis and participation by women, as appropriate, into the institutional and national security force capacity-building activities of security cooperation programs carried out under title 10, United States Code, including by—

(i) incorporating gender analysis and women, peace, and security priorities, including sex-disaggregated data, into educational and training materials and programs authorized by section 333 of title 10, United States Code;

(ii) advising on the recruitment, employment, development, retention, and promotion of women in such national security forces, including by—

(I) identifying existing military career opportunities for women;

(II) ensuring women and girls to careers available in such national security forces and the skills necessary for such careers; and

(III) encouraging women’s and girls’ interest in such careers by highlighting the role models women of the United States and applicable foreign countries in uniform;
(C) addressing sexual harassment and abuse against women within such national security forces;
(D) integrating gender analysis into security sector planning, conducting, and training for such national security forces; and
(E) improving infrastructure to address the requirements of women serving in such national security forces, including appropriate equipment for female security and police forces.

(2) BARRIERS AND OPPORTUNITIES.—Partner countries shall be encouraged to participate in the course of Department security cooperation activities to build the capacity of the national security forces of foreign countries shall include barriers and opportunities with respect to strengthening recruitment, employment, development, retention, and promotion of women in the military forces of such partner countries.

(3) DEPARTMENT-WIDE POLICIES ON WOMEN, PEACE, AND SECURITY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall initiate a process to establish standardized policies described in subsection (a)(1).

(4) AN ENUMERATION OF DEFENSE MAINTENANCE.—The Secretary of Defense may use funds authorized to be appropriated in each fiscal year to the Department of Defense for operation and maintenance as specified in section 8001(1) for carrying out the full implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and the guidance on the matter described in subparagraph (A) through (E) of subsection (b)(1).

(b) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2025, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202), including—

(1) a description of the progress made on each matter described in paragraphs (1) through (4) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1); and
(2) an identification of the amounts used for such purposes.

(c) EXECUTIVE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1208. TED STEVENS CENTER FOR ARCTIC SECURITY STUDIES.

(a) PLAN REQUIRED.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Department of Energy, shall submit to the congressional defense committees a plan to establish a Department of Defense Regional Center for Security Studies for the Arctic.

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

(A) A description of the benefits of establishing such a center, including the report in which the establishment of such a center would benefit United States and Department interests in the Arctic region;
(B) the description of the mission and purpose of such a center, including specific policy guidance from the Office of the Secretary of Defense;
(C) an analysis of suitable reporting relationships with the applicable combatant commands;
(D) an assessment of suitable locations for such a center that are—
(i) in proximity to other academic institutions that study security implications with respect to the Arctic region; and
(ii) in proximity to the designated lead for Arctic affairs of the United States Northern Command;
(E) an identification of the amounts used for carrying out the full implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and the guidance on the matter described in paragraph (1) through (4) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1).

(b) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2025, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202), including—

(1) a description of the progress made on each matter described in paragraphs (1) through (4) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1); and
(2) an identification of the amounts used for such purposes.

(c) EXECUTIVE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1209. FUNCTIONAL CENTER FOR SECURITY STUDIES IN IRREGULAR WARFARE.

(a) REPORT REQUIRED.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report that assesses the merits and feasibility of establishing a Department of Defense Functional Center for Security Studies in Irregular Warfare.

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

(A) A description of the benefits to the United States and the allies and partners of the United States of establishing such a functional center, including the manner in which the establishment of such a functional center would enhance and sustain focus on, and advance knowledge of, matters of irregular warfare, including cybersecurity, nonstate actors, information operations, counterterrorism, stability operations, and the hybridization of such matters.

(B) A detailed description of the mission and purpose of such a functional center, including applicable policy guidance from the Office of the Secretary of Defense.

(C) An analysis of appropriate reporting and liaison relationships between such a functional center and—

(i) the geographic and functional combatant commands;
(ii) other Department of Defense stakeholders; and
(iii) other government and nongovernment entities and organizations.

(D) An enumeration of criteria applicable to the determination of a suitable location for such a functional center.

(E) A description of the establishment and operational costs of such a functional center, including for—

(i) military construction for required facilities;
(ii) facility renovation;
(iii) personnel costs for faculty and staff; and
(iv) other costs the Secretary of Defense considers appropriate.

(F) An evaluation of the existing infrastructure, resources, and personnel available at military installations and at universities and other academic institutions that could reduce the costs described in accordance with subparagraph (E).

(G) An examination of partnership opportunities with United States allies and partners for potential collaboration and burden sharing.

(H) A description of potential courses and programs that such a center could carry out, including—

(i) core, specialized, and advanced courses;
(ii) planning workshops;
(iii) seminars;
(iv) confidence-building initiatives; and
(v) academic research.

(I) A description of any modification to Title 10, United States Code, necessary for the effective operation of such a center.

(J) ESTABLISHMENT.—(1) IN GENERAL.—Not earlier than 30 days after the submittal of the report required by subsection (a), and subject to the availability of appropriations, the Secretary of Defense may establish and administer a Department of Defense Regional Center for Security Studies in Irregular Warfare.

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

(b) ESTABLISHMENT.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall establish and administer a Department of Defense Functional Center for Security Studies in Irregular Warfare.

(2) TREATMENT AS A REGIONAL CENTER FOR SECURITY STUDIES.—A Department of Defense may establish and administer a Department of Defense Regional Center for Security Studies under the authority of law, necessary for the effective establishment and administration of such a functional center.

(c) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report that assesses the merits and feasibility of establishing a Department of Defense Functional Center for Security Studies in Irregular Warfare.

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

(A) A description of the benefits to the United States and the allies and partners of the United States of establishing such a functional center, including the manner in which the establishment of such a functional center would enhance and sustain focus on, and advance knowledge of, matters of irregular warfare, including cybersecurity, nonstate actors, information operations, counterterrorism, stability operations, and the hybridization of such matters.

(B) A detailed description of the mission and purpose of such a functional center, including applicable policy guidance from the Office of the Secretary of Defense.

(C) An analysis of appropriate reporting and liaison relationships between such a functional center and—

(i) the geographic and functional combatant commands;
(ii) other Department of Defense stakeholders; and
(iii) other government and nongovernment entities and organizations.

(D) An enumeration of criteria applicable to the determination of a suitable location for such a functional center.

(E) A description of the establishment and operational costs of such a functional center, including for—

(i) military construction for required facilities;
(ii) facility renovation;
(iii) personnel costs for faculty and staff; and
(iv) other costs the Secretary of Defense considers appropriate.

(F) An evaluation of the existing infrastructure, resources, and personnel available at military installations and at universities and other academic and research institutions that could reduce the costs described in accordance with subparagraph (E).

(G) An examination of partnership opportunities with United States allies and partners for potential collaboration and burden sharing.

(H) A description of potential courses and programs that such a functional center could carry out, including—

(i) core, specialized, and advanced courses;
(ii) planning workshops;
(iii) seminars;
(iv) confidence-building initiatives; and
(v) academic research.

(I) A description of any modification to Title 10, United States Code, necessary for the effective operation of such a center.

(J) ESTABLISHMENT.—(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall establish and administer a Department of Defense Functional Center for Security Studies in Irregular Warfare.

(2) TREATMENT AS A REGIONAL CENTER FOR SECURITY STUDIES.—A Department of Defense Functional Center for Security Studies in Irregular Warfare established under paragraph (1) shall be operated and administered in the same manner as the Armed Forces Regional Centers for Security Studies under section 342 of title 10, United States Code,
and in accordance with such regulations as the Secretary of Defense may prescribe.

(3) LIMITATION.—No other institution or element of the Department may be designated, relocated, transferred, or designated as the functional center, except by an Act of Congress.

(4) LOCATION.—The location of a Department of Defense Functional Center for Security Studies in Irregular Warfare established under paragraph (1) shall be selected based on an objective, criteria-driven administrative or competitive award process, in accordance with the merits of locating such functional center in Tempe, Arizona, or any other location with similar qualifications and advantages.

SEC. 1210. OPEN TECHNOLOGY FUND.

(a) SHORT TITLE.—This section may be cited as the “Open Technology Fund Authorization Act”.

(b) FINDINGS.—Congress finds the following:

(1) The political, economic, and social benefits of the internet are important to advancing democracy and freedom throughout the world.

(2) Authoritarian governments are investing billions of dollars each year to create, maintain, and defend regimes that promote the spread of information and surveillance systems to limit free association, control access to information, and prevent citizens from exercising their right to freedom of speech.

(3) Over 75% of the world’s population live in countries in which the internet is restricted. Governments shut down the internet more than 200 times every year.

(4) Internet censorship and surveillance technology is rapidly being exported around the world, particularly by the Government of the People’s Republic of China, enabling widespread abuses by authoritarian governments.

(c) SENSE OF CONGRESS.—It is the sense of Congress that it is in the interest of the United States—

(1) to promote global internet freedom by countering internet censorship and repression; and

(2) to protect the internet as a platform for—

(A) the free exchange of ideas;

(B) the advancement of human rights and democracy;

(C) the advancement of a free press; and

(D) to support efforts that prevent the development, implementation, and maintenance of technologies that provide secure and uncensored access to the internet to counter attempts by authoritarian governments, nonstate actors, and others to improperly restrict freedom online;

(3) to advance internet freedom by supporting public and private sector research, development, and deployment of technologies that provide secure and transparent access to the internet; and

(4) to advance freedom of the press and enable audiences to access media and news and information consistent with the purposes of this Act or press freedom overseas if requested or approved by the United States Agency for Global Media.

(d) ESTABLISHMENT OF THE OPEN TECHNOLOGY FUND.—

(1) IN GENERAL.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 509 the following:

"SEC. 309A. OPEN TECHNOLOGY FUND.

"(a) Authority.—

"(1) ESTABLISHMENT.—There is established a grantee entity, to be known as the ‘Open Technology Fund’, which shall carry out this section as a grantee entity.

"(2) IN GENERAL.—Grants authorized under section 309 shall be available to award annual grants to the Open Technology Fund for the purposes of this Act.

"(A) promoting, consistent with United States law, unrestricted access to uncensored sources of information via the internet; and

"(B) enabling journalists, including journalists employed by or affiliated with the Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, the Middle East Broadcasting Networks, the Office of Cuba Broadcasting, or any entity funded by or partnering with the United States Agency for Global Media to create and disseminate news and information consistent with the purposes, standards, and principles specified in section 509;

"(b) USE OF GRANT FUNDS.—The Open Technology Fund shall use grant funds received pursuant to section 309 to—

"(1) to advance freedom of the press and unrestricted access to the internet in remote, underdeveloped, and remote environments, locations, and regions, particularly through grants for development, implementation, and maintenance of technologies that provide secure and transparent access to the internet; and

"(2) to research, develop, implement, and maintain—

"(A) technologies that circumvent techniques used by authoritarian governments, nonstate actors, and others to block or censor access to the internet, including circumvention technologies that enable block signing, filtering, and other censorship techniques used to limit or block legitimate access to content and information; and

"(B) secure communication tools and other forms of privacy and security technology that facilitate the creation and distribution of news and enable audiences to access media and information consistent with the purposes of this Act;

"(3) to advance internet freedom by supporting public and private sector research, development, implementation, and deployment of technologies that provide secure and transparent access to the internet and counter attempts by authoritarian governments, nonstate actors, and others to improperly restrict freedom online;

"(4) to research and analyze emerging technical threats and develop innovative solutions through collaboration with the private and public sectors to maintain the technological advantage of the United States Government over authoritarian governments, nonstate actors, and others;

"(5) to develop, acquire, and distribute requisite internet freedom technologies and techniques for the United States Agency for Global Media, in accordance with paragraph (2), and digital security interventions, to fully enable the creation and distribution of digital content between and to all users and regional audiences;

"(6) to prioritize programs for countries, the governments of which restrict freedom of expression on the internet, that are important to the national interests of the United States in accordance with section 7050(b)(2)(C) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94); and

"(7) to carry out any other effort consistent with the purposes of this Act or press freedom overseas if requested or approved by the United States Agency for Global Media.

"(c) METHODOLOGY.—In carrying out subsection (b), the Open Technology Fund shall—

"(1)(A) support fully open-source tools, code, and components, to the extent practicable, to ensure such supported tools and technologies are as secure, transparent, and accessible as possible; and

"(B) require that any such tools, components, code, or technology supported by the Open Technology Fund remain fully open-source, to the extent practicable;

"(2) support technologies that undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner detrimental to the interests of the United States or to individuals using such technologies, particularly those supported through programs supported by the Open Technology Fund;

"(3) review and periodically update, as necessary, security audits and techniques used by the Open Technology Fund to reflect current industry security standards;

"(4) establish safeguards to mitigate the use of such supported technologies for illicit purposes;

"(5) solicit project proposals through an open, transparent, and competitive process, to ensure such projects are funded; and

"(6)(A) seek input from technical, regional, and subject matter experts from a wide range of relevant disciplines; and

"(B) review, provide feedback, and evaluate proposals to ensure that the most competitive projects are funded.

"(d) GRANT AGREEMENT.—Any grant agreement, or grants made to, the Open Technology Fund under this section shall be subject to the following limitations and restrictions:

"(1) The headquarters of the Open Technology Fund and its senior administrative and technical staff shall be located in a location that ensures economic, operational effectiveness, and accountability to the United States Agency for Global Media.

"(2) Grants awarded under this section shall be made pursuant to a grant agreement requiring that—

"(A) grants are only used only on activities consistent with the section; and

"(B) failure to comply with such requirement shall result in the cancellation of the grant without further fiscal obligation to the United States.

"(3) Each grant agreement under this section shall require that each contract entered into by the Open Technology Fund specify that all obligations are assumed by the grantee and not by the United States Government.

"(4) Each grant agreement under this section shall require that any lease agreements entered into by the Open Technology Fund shall be, to the maximum extent possible, assignable to the United States Agency for Global Media.

"(5) The Open Technology Fund shall be authorized to incur the costs for operation of the Open Technology Fund—

"(A) should be kept to a minimum; and

"(B) to the maximum extent feasible, shall not exceed the amount that would have been incurred if the Open Technology Fund had been operated as a Federal entity rather than as an entity.

"(6) Funds may not be used for any activity whose purpose is influencing the passage or defeat of legislation considered by Congress.

"(7) No relationship to the United States Agency for Global Media.—

"(1) IN GENERAL.—The Open Technology Fund shall be subject to the oversight and governance by the United States Agency for Global Media in accordance with section 305.

"(2) ASSISTANCE.—The United States Agency for Global Media, its broadcast entities, and the Open Technology Fund shall work together to ensure such assistance to each other as may be necessary to carry out the purposes of this section or any other provision under this Act.

"(8) FOREIGN POLICY AND DIPLOMACY.—Nothing in this section may be construed to make the Open Technology Fund an agency or instrumentality of the Federal Government.

"(9) REVIEW.—The United States Agency for Global Media shall periodically review the Open Technology Fund to ensure the Open Technology Fund is operating effectively.

"(10) REPORTS.—The United States Agency for Global Media shall submit a biennial report to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation, the Senate, and the Committee on Foreign Affairs, and the Committee on Oversight and Government Reform, the House of Representatives, until the close of each biennial period, commencing on November 15, 2019, which shall include—

"(A) an analysis of the Open Technology Fund's activities, policies, and procedures; and

"(B) an overview of the Open Technology Fund's activities, policies, and procedures for each of the preceding two years.

"(11) REPORTS.—Beginning on January 11, 2017, and each January 11 thereafter, and not later than 60 days after each report is submitted, the Open Technology Fund shall submit a report to the United States Agency for Global Media and the Committees on Foreign Relations and Commerce, Science, and Transportation, the Senate, and the Committees on Foreign Affairs and Oversight and Government Reform, the House of Representatives, which shall include—

"(A) an analysis of the Open Technology Fund's activities, policies, and procedures; and

"(B) an overview of the Open Technology Fund's activities, policies, and procedures for each of the preceding two years.

"(12) ANNUAL REPORT.—The Open Technology Fund shall submit an annual report to the United States Agency for Global Media and the Committees on Foreign Relations and Commerce, Science, and Transportation, the Senate, and the Committees on Foreign Affairs and Oversight and Government Reform, the House of Representatives, on the Open Technology Fund's activities, policies, and procedures for each fiscal year.
may be detailed to the Agency, in accordance with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.) and Federal employees may be detailed to a grantee of the U.S. Government for Global Media, in accordance with such Act.

“(f) RELATIONSHIP TO OTHER UNITED STATES GOVERNMENT INTERNET FREEDOM PROGRAMS.—The United States Agency for Global Media shall ensure that internet freedom research and development projects of the Open Technology Fund are deconflicted with internet freedom programs of the Department of State and other relevant United States Government departments. Agencies should consult directly with relevant United States Agency for Global Media officials on joint funding and best practices relating to the implementation of subsections (b) and (c).

“(g) REPORTING REQUIREMENTS.—

"(1) ANNUAL REPORT.—The Open Technology Fund shall highlight, in its annual report, internet freedom activities, including a comprehensive assessment of the Open Technology Fund’s activities relating to the implementation of subsections (b) and (c), which shall include—

(A) an assessment of the current state of global internet freedom, including—

(i) trends in censorship and surveillance technologies and internet shutdowns; and

(ii) a description of the threats such trends pose to journalists, citizens, and human rights and civil society organizations; and

(B) a description of the technology projects supported by the Open Technology Fund and the associated impact of such projects in the most recently completed year, including—

(i) the countries and regions in which such technologies were deployed;

(ii) any associated metrics indicating audience usage of such technologies; and

(iii) future-year technology project initiatives.

"(2) ASSESSMENT OF THE EFFECTIVENESS OF THE OPEN TECHNOLOGY FUND.—Not later than 2 years after the date of the enactment of this section, the Inspector General of the Department of State and the Foreign Service shall submit a report to the appropriate congressional committees that indicates—

(A) whether the Open Technology Fund is—

(i) technologically sound;

(ii) cost effective; and

(iii) satisfying the requirements under this section; and

(B) to the extent to which the interests of the United States are being served by maintaining the work of the Open Technology Fund.

"(h) AUDIT AUTHORITIES.—

'(1) IN GENERAL.—Financial transactions of the Open Technology Fund that relate to functions carried out under this section may be audited by the Government Accountability Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places at which accounts of the Open Technology Fund are normally kept.

'(2) CERTIFICATION.—The Government Accountability Office shall have access to all books, accounts, records, reports, files, papers, and property belonging to or in use by the Open Technology Fund pertaining to financial transactions as may be necessary to facilitate an audit. The Government Accountability Office shall be afforded full facility with all documentation and best practices relating to the implementation of subsections (b) and (c), and the Open Technology Fund shall remain in the possession and custody of the Open Technology Fund.

"(1) EXERCISE OF AUTHORITIES.—Notwithstanding any other provision of law, the Inspector General of the Department of State and the Foreign Service is authorized to exercise the authorities of the Inspector General Act of 1978 with respect to the Open Technology Fund.

"(2) CONFORMING AMENDMENTS.—The United States International Broadcasting Act of 1994 is amended—

'(A) in section 304(d) (22 U.S.C. 6203(d)), by inserting “the Open Technology Fund,” before “‘the Middle East Broadcasting Networks’”;

'(B) in sections 305(a)(20) and 310(c) (22 U.S.C. 6204(a)(20) and 6209(c)), by inserting “‘the Open Technology Fund’,” before “‘or the Middle East Broadcasting Networks’” each place such term appears; and

'(C) in section 310 (22 U.S.C. 6209), by inserting “‘the Open Technology Fund’,” before “‘and the Middle East Broadcasting Networks’” each place such term appears.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized for the Open Technology Fund, which shall be used to carry out section 309A of the United States International Broadcasting Act of 1994, as added by section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by striking “October 1, 2020” and inserting “October 1, 2025”.

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. 363), as most recently amended by section 1217 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 116–92), is further amended by striking “beginning on October 1, 2019, and ending on December 31, 2020” and inserting “beginning on October 1, 2020, and ending on December 31, 2021”.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

'(1) by striking October 1, 2019, and ending on December 31, 2020” and inserting “beginning on October 1, 2020, and ending on December 31, 2021”;

and

'(2) by striking “$50,000,000” and inserting “$180,000,000”.

SEC. 1212. EXTENSION AND MODIFICATION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM.

Section 1231 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–23; 126 Stat. 1261) is hereby amended by inserting after subsection (b) of such section—

'(1) in subsection (a)—

'(A) by striking “December 31, 2020” and inserting “December 31, 2021”; and

'(B) by striking “$2,500,000” and inserting “$2,000,000”;

and

'(2) in subsection (b), by striking the subsection designation and heading and all that follows through the end of paragraph (1) and inserting the following:

'(B) QUARTERLY REPORTS.—

'(1) IN GENERAL.—Beginning in fiscal year 2020, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter fiscal year that were made available pursuant to the authorization provided in this section or under any other provision of law for the purposes of the program under subsection (a); and

'(3) in subsection (i), by striking “December 31, 2020” and inserting “December 31, 2021”.

SEC. 1213. EXTENSION AND MODIFICATION OF SUPPORT FOR RECONCILIATION ACTIVITIES LED BY THE GOVERNMENT OF AFGHANISTAN.

(a) MODIFICATION OF AUTHORITY TO PROVIDE COVERED SUPPORT.—Subsection (c) of section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

'(1) by striking the subsection designation and heading and all that follows through “The Secretary of Defense” and inserting the following:

'(a) AUTHORITY TO PROVIDE COVERED SUPPORT.—

'(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Defense may:

'(A) authorize covered support of the Open Technology Fund, which shall be used to carry out section 309A of the United States International Broadcasting Act of 1994, as added by section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

'(B) LIMITATION ON USE OF FUNDS.—Funds authorized or otherwise made available by this Act may not be obligated or expended to provide covered support under this section on which the Secretary of Defense submits to the appropriate committees of Congress the report required by subsection (b)

'(c) EXTENSION.—Subsection (k) of such section is amended—

'(1) by redesignating subsections (i) through (t) as subsections (j) through (r), respectively;

'(2) by inserting after subsection (h) the following new subsection (i):—

'(d) PARTICIPATION IN RECONCILIATION ACTIVITIES.—Covered support may only be used to support a reconciliation activity that—

'(1) includes the participation of members of the Government of Afghanistan; and

'(2) does not restrict the participation of women.

'(e) EXTENSIONS FROM COVERED SUPPORT.—Such section is further amended in paragraph (2)(B) of subsection (i), as so redesignated—

'(1) by inserting in clause (ii), by inserting “reimbursement for travel or lodging, and stipends or per diem payments” before the period at the end; and

'(2) by adding at the end the following new clause:

'(iii) Any activity involving one or more members of an organization designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or an individual designated as a specifically designated global terrorist pursuant to section 6(j)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1701) note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism.

SEC. 1214. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA PROGRAM FOR AFGHAN ALLIES.

It is the sense of the Senate that—

'(1) the special immigrant visa program for Afghan allies is critical to the mission in Afghanistan and the long-term interests of the United States;

and

'(2) maintaining a robust special immigrant visa program for Afghan allies is necessary to provide the United States Government personnel in Afghanistan who need translation, interpretation, security, and other services;
(3) Afghan allies routinely risk their lives to assist United States military and diplomatic personnel; and
(4) honoring the commitments made to Af-ghan allies is essential to the special immi-grant visa program is essential to ensuring— (A) the continued service and safety of such allies; and (B) the willingness of other like-minded indi-viduals to provide similar services in any future contingency; (5) the Afghan Allies Protection Act of 2009 (8 U.S.C. 1158 note) states that all Govern-ment-controlled processing of applications for special immigrant visas under that Act “should be completed not later than 9 months after the date on which an eligible alien submits all required materials to com-plete an application for such visa”;
(6) any processing of special immi-grant visa applications should be addressed as quickly as possible so as to honor the United States commitment to Afghan allies as soon as possible;
(7) failure to process such applications in an expeditious manner puts lives at risk and jeopardizes a critical element of support to United States military operations in Afghanistan; and (8) to prevent harm to the operations of the United States Government in Afghan-istan, additional visas should be made available to Afghans who are eligible for special immigrant status under that Act.
SEC. 1215. SENSE OF SENATE AND REPORT ON SPECIAL IMMIGRANT STATUS UNDER THE AFGHAN ALLIES PROTECTION ACT OF 2009.
(a) SENSE OF THE SENATE.—It is the sense of the Senate that— (1) the United States and our coalition partners have made progress in the fight against al-Qaeda and ISIS in Afghanistan; however, both groups continue to seek to— (A) maintain an ability to operate in Afghan-istan; (B) seek to undermine stability in the region; and (C) threaten the security of Afghanistan, the United States, and the allies of the United States; (2) the South Asia strategy correctly em-phasizes the importance of a conditions-based United States presence in Afghanistan; therefore, any decision to withdraw the Armed Forces of the United States from Af-ghanistan should be done in an orderly man-ner in response to conditions on the ground, and in coordination with the Government of Afghan-istan; States allies and partners in the Resolute Support mission; (3) a precipitous withdrawal of the Armed Forces of the United States and United States diplomatic and intelligence personnel from Afghanistan without effective, counter- vailing efforts to secure gains in Afghanistan may allow extremist groups to regen-erate, threatening the security of the Afghan people and creating a security vacuum that could destabilize the region and provide am-ple opportunity for extremist groups seek-ing to conduct external attacks; (4) ongoing diplomatic efforts to secure a peaceful, negotiated solution to the conflict in Afghan-istan are the best path forward for establishing long-term stability and elimi-nating the threat posed by extremist groups in Afghanistan; (5) the United States supports inter-national diplomatic efforts to facilitate peaceful, negotiated resolution to the ongo-ing conflict in Afghanistan on terms that re-spect the human rights of civilians and deny safe havens to terrorists; and (6) as part of such diplomatic efforts, and as a condition to be met prior to withdrawal, the United States must ensure the release of any United States citizens being held against their will in Afghanistan.
(b) REPORT.— (1) IN GENERAL.—Not later than September 1, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representa-tives a report that includes— (A) an assessment of— (i) the external threat posed by extremist groups operating in Afghan-istan; (ii) the impact of cessation of United States support to Afghan Security Forces on the United States homeland and the homelands of United States allies; (iii) the impact of cessation of United States financial support to Afghan Security Forces in order to maintain current operational capabilities, including force cohe-sion and combat effectiveness; (B) a report for the completion of all security-related tasks currently undertaken by the Armed Forces of the United States in support of the Afghan National Defense and Security Forces to Afghanistan, including— (i) precision targeting of Afghanistan-based terrorists; (ii) combat-enabler support, such as artil-lery and aviation assets; and (iii) noncombat-enabler support, such as intelligence, surveillance and reconnais-sance, medical evacuation, and contractor logistic support; (C) an update on the status of any United States citizens detained in Afghanistan, and an overview of Administration efforts to se-cure their release; (2) FORM.—The report required by para-graph (1) shall be submitted in unclassified form but may contain a classified annex.
Subtitle C—Matters Relating to Syria, Iraq, and Afghanistan
SEC. 1221. EXTENSION OF AUTHORITY AND LIMITATION ON USE OF FUNDS TO PRO-VIDE ASSISTANCE TO COUNCIL OF VETTED SYRIAN GROUPS IN IRAQ.
(b) FUNDING.—Subsection (g) of such sec-tion, as most recently amended by sec-tion 1236(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 3209), is further amended by inserting after the preceding paragraph (1), by striking “December 31, 2020” and inserting “December 31, 2021”.
(c) ADDITIONAL AUTHORITY.—Subsection (f) of such section is amended— (1) by striking “fiscal year 2020” and insert-ing “fiscal year 2021”.
SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.
(2) in subsection (a), in the matter pre-ceding paragraph (1), by striking “December 31, 2020” and inserting “December 31, 2021”;
(3) by striking subsections (b) through (m) and inserting— (1) by redesignating subsections (d) through (m) as subsections (b) through (k), respectively; and (2) in paragraph (2) of subsection (b), as so redesignated— (A) by redesigning subparagraph (I) as subparagraph (M) and inserting the paragraph four ems to the left; (B) by redesigning subparagraphs (A) through (F) and (G) through (J) as subpara-graphs (B) through (G) and (I) through (L), respectively; and (C) by inserting before subparagraph (B), as so redesignated, the following new subpara-graph (A): “(A) An accounting of the obligation and expenditure of authorized funding for the current and preceding fiscal year.”;
(4) by redesigning paragraph (H), as so redesignated, the following new subpara-graph (I): “(H) The mechanisms and procedures that will be used to monitor, control, and report to the ap-propriate congressional committees and leadership of the Senate and House of Rep-representatives any unauthorized end-use of provided training and equipment or other violations of relevant law by appropriately vetted recipients.”;
and (E) by adding at the end the following new subparagraph: “(N) Any other matter the Secretary consi-de-deres appropriate.”
SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.
(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Au-thorization Act for Fiscal Year 2015 (10 U.S.C. 113 note) is amended— (1) by striking “fiscal year 2020” and insert-ing “fiscal year 2021”; and (B) by redesigning “$30,000,000” and inserting “$15,000,000.”
(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking “fiscal year 2020” and inserting “fiscal year 2021”.
(c) ADDITIONAL AUTHORITY.—Subsection (f) of such section is amended—
(1) in paragraph (1), in the matter preceeding subparagraph (A), by striking “fiscal year 2019” and inserting “fiscal year 2021”; and

(d) REPORT.—Subsection (g)(1) of such section is amended by striking “September 30, 2020” and inserting “March 1, 2021”.

(e) LIMITATION ON AVALIABILITY OF FUNDS.—Subsection (h) of such section is amended—
(1) in the matter preceding paragraph (1)—
(A) by striking “fiscal year 2020” and inserting “fiscal year 2021”; and
(B) by striking “$20,000,000” and inserting “$15,000,000”;
(2) by striking paragraph (1);
(3) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;
(4) in paragraph (1), as so redesignated, by striking “The development of a staffing plan” and inserting “A progress report with respect to the development of a staffing plan”; and
(5) in paragraph (2), as so redesignated, by striking “The initiation” and inserting “A progress report with respect to the initiation

Subtitle D—Matters Relating to Europe and the Russian Federation

SEC. 1231. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1233(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2988), as most recently amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended in the matter preceding paragraph (1), by striking “, 2019, or 2020” and inserting “, 2019, 2020, or 2021”.

SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2021 for the Department of Defense may be obligated or expended to, and the Department may not, implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the prohibition under subsection (a) if the Secretary of Defense—
(1) determines that a waiver is in the national security interest of the United States; and
(2) on the date on which the waiver is invoked, submits a notification of the waiver and a justification of the reason for seeking the waiver to—
(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(1) in subsection (c)—
(A) by striking—
(1) in clause (iv), by striking “; and” and inserting a semicolon;
(ii) in clause (v), by striking the period at the end and inserting a semicolon; and
(iii) by adding at the end the following: “(vi) transformation of command and control structures and timeline with North Atlantic Treaty Organization principles; and
(vii) improvement of human resources management, including to support career management and to provide social support to military personnel and their families, and professional military education systems.”; and
(B) by amending paragraph (5) to read as follows:
“(5) LETHAL ASSISTANCE.—Of the funds available for fiscal year 2021 pursuant to subsection (f)(8), $125,000,000 shall be available only for lethal assistance described in paragraphs (2), (3), (11), (12), (13), and (14) of subsection (b),
(2) in subsection (f), by adding at the end the following new paragraph:
“(f) For fiscal year 2021, $250,000,000.”; and
(3) in subsection (h), by striking “December 31, 2022” and inserting “December 31, 2024”.

SEC. 1234. REPORT ON CAPABILITY AND CAPACITY REQUIREMENTS OF MILITARY FORCES OF UKRAINE AND RE SOURCE PLAN FOR SECURITY ASSISTANCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the capability and capacity requirements of the military forces of Ukraine, which shall include the following:
(1) An analysis of the capability gaps and capacity shortfalls of the military forces of Ukraine that includes—
(A) an assessment of the requirements of the navy of Ukraine to accomplish its assigned missions; and
(B) an assessment of the requirements of the air forces of Ukraine to accomplish its assigned missions.
(2) An assessment of the relative priority assigned by the Government of Ukraine to addressing such capability gaps and capacity shortfalls.
(3) An assessment of the capability gaps and capacity shortfalls described in paragraph (2) that could be addressed in a sufficient and timely manner solely through unilateral efforts of the Government of Ukraine; and
(B) are unlikely to be addressed in a sufficient and timely manner solely through unilateral efforts.
(4) An assessment of the capability gaps and capacity shortfalls described in paragraph (2) that could be addressed in a sufficient and timely manner by—
(A) the Ukraine Security Assistance Initiative of the Department of Defense;
(B) Department of Defense security assistance authorized by section 333 of title 10, United States Code;
(C) the Foreign Military Financing and Foreign Military Sales programs of the Department of State; or
(D) the provision of excess defense articles.
(5) An assessment of the human resource requirements of the Office of Defense Cooperation at the United States Embassy in Kyiv and any gaps in the capacity of such Office of Defense Cooperation to provide security assistance to Ukraine.
(6) Any recommendations the Secretary of Defense and the Secretary of State consider appropriate to line of effort and coordination of security assistance efforts of the Department of Defense and the Department of State with respect to Ukraine.
(b) RESOURCE PLAN.—Not later than February 15, 2022, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a resource plan for United States security assistance with respect to Ukraine, which shall include the following:
(1) A plan to achieve 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.
(2) The provision of excess defense articles.
(2) With respect to the navy of Ukraine, the following:
(A) A capability development plan, with milestones, detailing the manner in which the United States will assist the Government of Ukraine in meeting the requirements referred to in subsection (a)(1)(A).
(B) A plan for United States cooperation with third countries and international organizations that have the resources and ability to provide immediate assistance to the navy of Ukraine while maintaining interoperability with United States platforms to the extent feasible.
(C) A plan to prioritize the provision of excess defense articles, with milestones, detailing the manner in which United States security assistance to the navy of Ukraine is in the national security interests of the United States.
(3) With respect to the air force of Ukraine, the following:
(A) A capability development plan, with milestones, detailing the manner in which United States security assistance to the air force of Ukraine in the meeting the requirements referred to in subsection (a)(1)(B).
(B) A plan for United States cooperation with third countries and international organizations that have the resources and ability to provide immediate assistance to the air force of Ukraine while maintaining interoperability with United States platforms to the extent feasible.
(C) A plan to prioritize the provision of excess defense articles, with milestones, detailing the manner in which United States security assistance to the air force of Ukraine is in the national security interests of the United States.
(D) An assessment of the manner in which United States security assistance to the air force of Ukraine in the meeting the requirements referred to in subsection (a)(1)(B).
(E) An assessment of the manner in which United States security assistance to the air force of Ukraine is in the national security interests of the United States.
(F) An assessment of progress on defense institutional reforms in Ukraine, including with respect to the navy and air force of Ukraine, during fiscal year 2023 and the four succeeding fiscal years that will be essential for—
(A) enabling effective use and sustainment of capabilities developed under security assistance authorities described in this section;
(B) enhancing the defense of the sovereignty and territorial integrity of Ukraine;
(C) achieving the stated goal of the Government of Ukraine of aligning Ukraine with North Atlantic Treaty Organization standards; and
(D) allowing Ukraine to achieve its full potential as a strategic partner of the United States.
(c) FORM.—The report required by subsection (a) and the resource plan required by subsection (b) shall each be submitted in a classified form with an unclassified summary.
(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1235. SENSE OF SENATE ON NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNER STATUS FOR UKRAINE.

It is the sense of the Senate that—

(1) the United States should support the designation of Ukraine as an enhanced opportunities partner as part of the Partnership Interoperability Initiative of the North Atlantic Treaty Organization;

(2) the participation of Ukraine in the enhanced opportunities partner program is in the shared security interests of Ukraine, the United States, and the North Atlantic Treaty Organization alliance;

(3) the unique experience, capabilities, and technical expertise of Ukraine, especially with respect to hybrid warfare, cybersecurity, and foreign disinformation, would enable Ukraine to make a positive contribution to the North Atlantic Treaty Organization alliance through participation in the enhanced opportunities partner program;

(4) while not a replacement for North Atlantic Treaty Organization membership, participation in the enhanced opportunities partner program would have significant benefits for the security of Ukraine, including—

(A) more regular consultations on security matters;

(B) enhanced access to interoperability programs and exercises;

(C) expanded information sharing; and

(D) improved coordination of crisis preparedness and response; and

(5) progress on defense institutional reforms in Ukraine, including defense institutional reforms intended to align the military forces of Ukraine with North Atlantic Treaty Organization standards, remains essential for—

(A) a more effective defense of the sovereignty and territorial integrity of Ukraine;

(B) allowing Ukraine to achieve its full potential as a strategic partner of the United States; and

(C) increased cooperation between Ukraine and the North Atlantic Treaty Organization.

SEC. 1236. EXTENSION OF AUTHORITY FOR TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 331 note), as most recently amended by section 1277 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is further amended—

(1) in the first sentence, by striking “December 31, 2021” and inserting “December 31, 2022;” and

(2) in the second sentence, by striking “the period beginning on October 1, 2015, and ending on December 31, 2021” and inserting “the period beginning on December 1, 2015, and ending on December 31, 2023.”

SEC. 1237. SENSE OF SENATE ON KOSOVO AND THE ROLE OF THE KOSOVO FORCE OF THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) normalization of relations between Kosovo and Serbia is in the interest of both countries and would enhance security and stability in the Western Balkans;

(2) the United States should continue to support the diplomatic efforts of Kosovo and Serbia to reach a historic agreement to normalize relations between the two countries; and

(3) the United States should support the States; and

(4) to enhance deterrence against aggression by the Russian Federation, the Department of Defense should—

(A) continue—

(i) to prioritize funding for the European Deterrence Initiative to address capability gaps, capacity shortfalls, and infrastructure requirements of the Joint Force in Europe;

(ii) to increase pre-positioned stocks of equipment in Europe; and

(iii) rotational deployments of United States forces to Romania and Bulgaria while pursuing training opportunities at military locations such as Camp Mihail Kogalniceanu in Romania and Novo Selo Training Area in Bulgaria;

(B) increase—

(i) focus and resources to address the changing military balance in the Black Sea region;

(ii) the frequency, scale, and scope of North Atlantic Treaty Organization and other multilateral exercises in the Black Sea region, including with the participation of Ukraine and Georgia; and

(iii) presence and activities in the Arctic, including special operations training and naval operations and training; and

(C) enhance military-to-military engagement among Western Balkan countries to promote interoperability with the North Atlantic Treaty Organization and regional security cooperation; and

(D) expand information sharing, improve planning coordination, and increase the frequency, scale, and scope of exercises with Sweden and Finland to deepen interoperability; and

(E) to counter Russian Federation activities short of armed conflict, the Department of Defense should—

(A) integrate with United States interagency efforts to employ all elements of national power to counter Russian Federation hybrid warfare; and

(B) bolster the capabilities of allies and partners to counteract Russian Federation coercion, including through expanded cyber cooperation and enhanced resilience against disinformation and malign influence.

SEC. 1238. SENSE OF SENATE ON STRATEGIC COMPETITION WITH THE RUSSIAN FEDERATION AND RELATED ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) the 2018 National Defense Strategy affirms the re-emergence of long-term strategic competition with the Russian Federation as a principal priority for the Department of Defense that requires sustained investment due to the magnitude of the threat posed to United States security, prosperity, and alliances and partnerships;

(2) the given the continued military modernization of the Russian Federation, including the development of long-range strike systems and other advanced capabilities, the United States should prioritize efforts within the North Atlantic Treaty Organization to implement initiatives to ensure that the deterrence and defense posture of the North Atlantic Treaty Organization remains credible and effective;

(3) the United States should reaffirm support for the open-door policy of the North Atlantic Treaty Organization;

(4) to enhance deterrence against aggression by the Russian Federation, the Department of Defense should—

(A) continue—

(i) to prioritize funding for the European Deterrence Initiative to address capability gaps, capacity shortfalls, and infrastructure requirements of the Joint Force in Europe;

(ii) to increase pre-positioned stocks of equipment in Europe; and

(iii) rotational deployments of United States forces to Romania and Bulgaria...
of the Russian Federation with respect to Europe and the United States.

(3) An assessment of the role of such groups or networks in—
(A) assisting the Russian Federation-backed separatist forces in the Donbas region of Ukraine; or
(B) destabilizing security on the Crimean peninsula of Ukraine.

(4) An assessment of the manner in which Russian Federation support of such groups or networks has—
(A) contributed to the destabilization of security in the Balkans; and
(B) threatened the support for the North Atlantic Treaty Organization in southeastern Europe.

(5) A description of any relationship or affiliation between such groups or networks and ultranationalist or extremist political parties in Europe and the United States, and an assessment of the manner in which the Russian Federation may use such a relationship or affiliation to advance the strategic interests of the Russian Federation.

(6) A description of the use by the Russian Federation of social media platforms to support or amplify the presence or messaging of such groups, and an assessment of any effort in Europe or the United States to counter such support or amplification.

(7) A description of the legal and political implications of the designation of the Russian Imperial Movement, and members of the leadership of the Russian Imperial Movement, as specially designated global terrorists pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorist acts) and the response of the Government of the Russian Federation to such designation.

(b) Recommendations of the Secretary of Defense consistent with a whole-of-government approach to countering Russian Federation information warfare and malign influence operations—
(A) to mitigate the security threat posed by such groups or networks; and
(B) to reduce or counter Russian Federation support for such groups or networks.

(c) The report required by subsection (a) shall not be submitted in unclassified form but may include a classified annex.

(d) Committees of Congress Defined.—In this section, the term ‘‘appropriate committees of Congress’’ means—
(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1241. PARTICIPATION IN PROGRAMS RELATING TO COORDINATION OR EXCHANGE OF AIR REFUELING AND AIR TRANSPORTATION SERVICES.

(a) In general.—Subchapter II of chapter 138 of title 10, United States Code, as amended by section 1240(b), is further amended by adding at the end the following new section:

‘‘(a) PARTICIPATION AUTHORIZED.—
‘‘(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize the participation of the Secretary of Defense in programs relating to coordination or exchange of air refueling and air transportation services, including in the arrangement known as the Air-to-Air Refueling and Air-to-Air Refueling and other Exchanges of Services program (in this section referred to as the ‘ATARES program’).

‘‘(b) SCOPE OF PARTICIPATION.—Participation of the Department of Defense in programs referred to in paragraph (1) may include—

(A) the reciprocal exchange or transfer of air refueling and air transportation services on a reimbursable basis or by replacement-in-kind; and
(B) the exchange of air refueling and air transportation services of an equal value.

‘‘(c) LIMITATIONS WITH RESPECT TO PARTICIPATION IN ATARES PROGRAM.—

‘‘(1) IN GENERAL.—The Secretary of Defense shall not provide to the Russian Federation balance of executed flight hours in participation in the ATARES program under paragraph (1), whether as credits or debts, may not exceed a total of 500 hours.

‘‘(2) AIR REFUELING.—The Department of Defense shall provide to the Russian Federation balance of executed flight hours in participation in the ATARES program under paragraph (1) only after the end of each fiscal year in which the Secretary of Defense provides to the congressional defense committees notification of any arrangement or agreement entered into under paragraph (1).

‘‘(d) WRITTEN ARRANGEMENT OR AGREEMENT.—Participation of the Secretary of Defense in a program referred to in subsection (a) may not exceed 200 hours.

‘‘(e) ANNUAL REPORT.—

‘‘(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year in which the authority under this section is in effect, the Secretary of Defense shall submit to the congressional defense committees and the Secretary of State a report on Department of Defense participation in the ATARES program during such fiscal year.

‘‘(2) ELEMENTS.—Each report required by paragraph (1) shall include—

(A) a description of the equitable share of the costs and activities of the ATARES program paid by the Department of Defense;
(B) a description of the amount received by the Department of Defense as part of such program, including the amount to which such amount was received; and
(C) a statutory construction—Nothing in this section may be construed to authorize the use of foreign semif in the violation of any law enforcement.

(b) CEREMONIAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1276 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350c note) is repealed.
SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDINATED ACTION TO ENHANCE THE SECURITY OF BALTIC ALLIES.

It is the sense of Congress that—

(1) the continued security of the Baltic states, Estonia, Latvia, Lithuania, and Luxembourg 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 instability and leadership 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 material 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 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 that possess expertise and dexterity to no longer enjoy the benefits of national economies of scale;

(5) the United States should pursue a dedicated initiative focused on defense and security assistance, 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 joint forces.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1251. PACIFIC DETERRENCE INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense shall carry out an initiative to ensure the effective implementation of the National Defense Strategy with respect to the Indo-Pacific region, to be known as the “Pacific Deterrence Initiative” (in this section referred to as the “Initiative”).

(b) PURPOSE.—The purpose of the Initiative is to carry out the following activities:

(1) Activities to increase the lethality of the joint force in the Indo-Pacific region, including, but not limited to—

(A) prepositioning of active and passive defenses against theater cruise, ballistic, and hypersonic missiles for bases, operating locations, and other critical infrastructure at locations west of the International Date Line; and

(B) procurement and fielding of—

(i) long-range precision strike systems to be stationed in a prepositioning area west of the International Date Line;

(ii) critical munitions to be pre-positioned at locations west of the International Date Line;

(iii) command, control, communications, computers and intelligence, surveillance, and reconnaissance systems intended for stationing or operational use in the Indo-Pacific region.

(2) Activities to enhance the design and posture of the joint force in the Indo-Pacific region, including, but not limited to, by—

(A) transitioning from large, centralized, and unhardened infrastructure to smaller, dispersed, and pre-positioned bases at locations west of the International Date Line;

(B) increasing the number and capabilities of expeditionary ports in the Indo-Pacific region available for operational use at locations west of the International Date Line;

(C) increasing the availability of strategic mobility assets in the Indo-Pacific region;

(D) improving distributed logistics and maintenance capabilities in the Indo-Pacific region to ensure logistics sustainment while under persistent multidomain attack; and

(F) increasing the presence of the Armed Forces at locations west of the International Date Line.

(3) Activities to strengthen alliances and partnerships, including, but not limited to, by—

(A) building capacity of allies and partners; and

(B) improving—

(i) interoperability and information sharing with allies and partners; and

(ii) information operations capabilities in the Indo-Pacific region, with a focus on reinforcing United States commitment to allies and partners and countering malign influence.

(4) Activities to carry out a program of exercises, experimentation, and innovation for the joint force in the Indo-Pacific region.

(c) PLAN REQUIRED.—Not later than February 15, 2021, the Secretary, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a plan to expend not less than the amounts authorized to be appropriated for the Initiative described in subsection (b) the following:

(A) the amount in the budget of the President for the following fiscal year;

(B) the amount projected in the previous budget of the President for the following fiscal year;

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities of the Initiative described in subsection (b) the following:

(1) For fiscal year 2021, $1,406,417,000, as specified in the funding table in section 4502.

(2) For fiscal year 2022, $5,500,000,000.


SEC. 1252. SENSE OF SENATE ON THE UNITED STATES-VIETNAM DEFENSE RELATIONSHIP.

In commemoration of the 25th anniversary of the normalizing of diplomatic relations between the United States and Vietnam, the Senate—

(1) welcomes the historic progress and achievements in United States-Vietnam relations over the last 25 years;

(2) congratulates Vietnam on its chairmanship of the Association of Southeast Asian Nations and its election as a nonpermanent member of the United Nations Security Council, both of which symbolize the positive leadership role of Vietnam in regional and global affairs;

(3) commends the commitment of Vietnam to resolve international disputes through peaceful means on the basis of international law;

(4) affirms the commitment of the United States—

(A) to respect the independence and sovereignty of Vietnam; and

(B) to establish and promote friendly relations and work together on an equal footing for mutual benefit with Vietnam;

(5) encourages the United States and Vietnam to elevate their comprehensive partnership to a strategic partnership based on mutual understanding, shared interests, and a common desire to promote peace, cooperation, prosperity, and security in the Indo-Pacific region;

(6) affirms the commitment of the United States to continue to authorize defense assistance.
issues, including through dioxin remediation, unexploded ordnance removal, accounting for prisoners of war and soldiers missing in action, and other activities; and
(7) providing defense cooperation between the United States and Vietnam, including with respect to maritime security, cybersecurity, counterterrorism, information sharing, humanitarian assistance and disaster relief, military medicine, peacekeeping operations, defense trade, and other areas.

SEC. 1253. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

(a) TRANSFER AUTHORITY.—Notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer to the Secretary of State, for use by the United States Agency for International Development, amounts to be used for the Bien Hoa dioxin cleanup in Vietnam.

(b) LIMITATION ON AMOUNT.—Not more than $15,000,000 may be transferred in fiscal year 2021 under the transfer authority in subsection (a).

(c) ADDITIONAL TRANSFER AUTHORITY.—The transfer authority in subsection (a) is in addition to any other transfer authority available to the Secretary of Defense.

(d) NOTICE OF EXERCISE OF AUTHORITY.—If the Secretary of Defense determines to use the transfer authority in subsection (a), the Secretary of Defense shall provide to the congressional defense committees a brief on the use of the authority under section 7596(a) of title 10, United States Code, as soon as practicable after the date of the enactment of this Act.

SEC. 1254. COOPERATIVE PROGRAM WITH VIETNAM TO ACCOUNT FOR VIETNAMESE PERSONNEL MISSING IN ACTION.

(a) IN GENERAL.—The Secretary of Defense, in cooperation with other appropriate Federal departments and agencies, is authorized to carry out a cooperative program with the Ministry of Defence of Vietnam to assist in accounting for Vietnamese personnel missing in action.

(b) PURPOSE.—The purpose of the cooperative program under subsection (a) is to carry out the following activities:

(1) Collection, digitization, and sharing of archival information.

(2) Building the capacity of Vietnam to conduct archival research, investigations, and excavations.

(3) Improving DNA analysis capacity.

(4) Increasing veteran-to-veteran exchanges.

(5) Other support activities the Secretary considers necessary and appropriate.

SEC. 1255. PROVIDING GOODS AND SERVICES TO KWAJALEIN ATOLL, REPUBLIC OF THE MARSHALL ISLANDS.

(a) IN GENERAL.—Chapter 767 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7596. Provision of goods and services at Kwaajalein Atoll.

"(a) AUTHORITY.—(1) Except as provided in paragraph (2), the Secretary of the Army, with the concurrence of the Secretary of State, may provide goods and services, including interisland transportation, to the Government of the Republic of the Marshall Islands and other eligible patrons, as determined by the Secretary of the Army, at Kwaajalein Atoll.

"(2) The Secretary of the Army may not provide goods or services under this section if doing so would be inconsistent, as determined by the Secretary of State, with the Compact of Free Association between the Government of the United States and the Government of the Republic of the Marshall Islands or any subsidiary agreement or implementation arrangement.

"(b) REIMBURSEMENT.—(1) The Secretary of the Army may collect reimbursement from the Government of the Republic of the Marshall Islands and eligible patrons for the provision of goods or services under subsection (a).

"(2) The amount collected for goods or services under this subsection may not be greater than the total amount of actual costs to the United States for providing the goods or services.

"(c) NECESSARY EXPENSES.—Amounts appropriated to the Department of the Army may be used for necessary expenses associated with providing goods and services under this section.

"(d) REGULATIONS.—The Secretary of the Army shall issue regulations to carry out this section.

"(e) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"‘7596. Provision of goods and services at Kwaajalein Atoll.’’.

SEC. 1256. AUTHORITY TO ESTABLISH A MOVEMENT COORDINATION CENTER PACIFIC.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may establish a Movement Coordination Center Pacific (in this section referred to as the ‘‘Center’’).

(b) SCOPE OF PARTICIPATION.—Participation in the Center is not required for any department or agency of the United States, and the Secretary of Defense may, at his discretion, authorize for the United States the participation of such departments or agencies with respect to the Center.

(c) NECESSARY EXPENSES.—Amounts appropriated to the Department of Defense may be used for necessary expenses associated with operating the Center.

SEC. 1257. TRAINING OF ALLY AND PARTNER AIR FORCES IN GUAM.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the memorandum of understanding agreed to by the United States and the Republic of Singapore on December 6, 2019, to establish a fighter detachment at Tengah Air Base in Singapore should be commended;

(2) such agreement is a manifestation of the strong, enduring, and forward-looking partnership of the United States and the Republic of Singapore; and

(3) the permanent establishment of a fighter detachment in Guam will further enhance the interoperability of the air forces of the United States and the Republic of Singapore and provide training opportunities needed to maximize their readiness.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report as to the extent to which the United States and the Republic of Singapore have entered into arrangements similar to the memorandum of understanding referred to in subsection (a)(1) with other United States allies and partners in the Indo-Pacific region, including Japan, Australia, and India.

SEC. 1258. STATEMENT OF POLICY AND SENSE OF SENATE ON THE TAIWAN RELATIONS ACT.

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) that the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the ‘‘Six Assurances’’ provided by the United States to Taiwan in July 1972 are the foundation for United States-Taiwan relations;

(2) that nothing in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) constrains deepening, to the extent possible, the extensive, close, and friendly relations of the United States and Taiwan, including defense relations;

(3) that the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) shall be implemented and executed in a manner consistent with evolving political, economic, and security needs and circumstances;

(4) that, as set forth in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the United States supports the ‘‘future of Taiwan will be determined by peaceful means,’’ and that ‘‘any effort to determine the future of Taiwan by other than peaceful means’’ is a threat to peace and security in the Western Pacific area and of grave concern to the United States;

(5) that the increasingly coercive and aggressive behavior of the People’s Republic of China towards Taiwan, including growing military maneuvers targeting Taiwan, is contrary to the expectation of the peaceful resolution of the future of the future; and

(6) that, as set forth in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the United States supports the ‘‘future of Taiwan will be determined by peaceful means,’’ that ‘‘any effort to determine the future of Taiwan by other than peaceful means’’ is a threat to peace and security in the Western Pacific area and of grave concern to the United States;
(3) to allow United States personnel to benefit from the expertise of Taiwanese personnel, in light of the successful response of Taiwan to COVID–19; and

(4) to continue the mission of the USNS Comfort and the USNS Mercy, which have demonstrated the value of the Department's capability to deploy maritime medical capabilities and to provide support to Taiwan, in the United States during significant crises.

SEC. 1260. LIMITATION ON USE OF FUNDS TO REWARD NUMBERS OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO THE REPUBLIC OF KOREA.

None of the funds authorized to be appropriated by this Act is to be obligated or expended to reduce the total number of members of the Armed Forces serving on active duty and deployed to the Republic of Korea by fewer than 28,500 such members of the Armed Forces until 90 days after the date on which the Secretary of Defense certifies to the congressional defense committees that—

(1) such a reduction—

(A) is in the national security interest of the United States; and

(B) will not significantly undermine the security of United States allies in the region; and

(2) the Secretary has appropriately consulted with allies of the United States, including the Republic of Korea and Japan, regarding such a reduction.

SEC. 1261. SENSE OF CONGRESS ON CO-DEVELOPMENT WITH JAPAN OF A LONG-RANGE GROUND-BASED ANTI-SHIP CRUISE MISSILE SYSTEM.

It is the sense of Congress that—

(1) the Department of Defense should prioritize consultations with the Ministry of Defense of Japan to determine whether a ground-based, long-range anti-ship cruise missile system would meet shared defense requirements of the United States and Japan; and

(2) if it is determined that a ground-based, long-range anti-ship cruise missile system would meet shared defense requirements, the United States and Japan should consider co-development of such a system.

SEC. 1262. STATEMENT OF POLICY ON COOPERATION IN THE INDO-PACIFIC REGION.

It is the policy of the United States to—

(1) to strengthen alliances and partnerships in the Indo-Pacific region, and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.

(2) the Indo-Pacific Strategy Report further states: “The United States has a vital interest in upholding the rules-based international order, which includes a strong, prosperous, and democratic Taiwan... The Department of Defense is committed to providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”

(3) Section 209(b) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 et seq.) states: “(A) builds on longstanding commitments enshrined in the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan with defense articles; and

(B) states: “The President should conduct regular transfer of defense articles to Taiwan that are tailored to meet the existing and likely future threats to the security of the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces.”

(4) The Asia Reassurance Initiative Act of 2018 (Pub. L. 115-499; 132 Stat. 5367) has set forth the need for the United States to support the close, economic, political, and security relationship between the United States and Taiwan.

(5) The United States should fully implement the provisions of that Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, or their designees, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the efforts to implement sections 209(b) and 209(c) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 note).
SEC. 1271. REVIEW OF AND REPORT ON OVERDUE ACQUISITION AND CROSS-SERVICING AGREEMENT TRANSACTIONS.

(a) REVIEW.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall conduct a review of all acquisition and cross-servicing agreements under which reimbursement to the United States is overdue as of December 31, 2020.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2021, the designated official described in subsection (a) shall submit to the congressional defense committees a report on the results of the review.

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

(A) For each acquisition and cross-servicing agreement valued at $1,000,000 or more for which reimbursement to the United States was overdue as of October 1, 2019—

(i) the total amount of the transaction;

(ii) the unreimbursed balance of the transaction;

(iii) the date on which the original transaction was made;

(iv) the date on which the most recent request for payment was sent to the relevant foreign partner; and

(v) a plan for securing reimbursement from the foreign partner.

(B) A description of the steps taken to implement the recommendations made in the report of the Government Accountability Office entitled—

"Defense Logistics Agreements: DOD Should Improve Oversight and Seek Payment from Foreign Partners for Thousands of Orders It Identifies as Overdue in Excess of $1 Billion, Including Efforts to Validate Data Reported Under This Subsection and in the System of Record for Acquisition and Cross-Servicing Agreements of the Department of Defense.''

(C) The amount of reimbursement received from foreign partners for each agreement—

(i) for which the reimbursement is recorded as overdue in the system of record for acquisition and cross-servicing agreements of the Department of Defense; and

(ii) that was authorized during the period beginning October 1, 2019, and ending September 30, 2020.

(D) A plan for improving recordkeeping of acquisition and cross-servicing transactions and ensuring timely reimbursement by foreign partners.

(E) Any other matter considered relevant by the designated official described in subsection (a).

SEC. 1272. REPORT ON BURDEN SHARING CONTRIBUTIONS BY DESIGNATED COUNTRIES.

Section 263(b) of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) REPORT ON CONTRIBUTIONS RECEIVED FROM DESIGNATED COUNTRIES.—

(1) NOT LATER THAN JANUARY 15.—Not later than January 15 each year, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the burden sharing contributions received under this section from designated countries.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following for each designated country:

(A) A list of all designated countries from which burden sharing contributions were received.

(B) An explanation of the purpose for which each such burden sharing contribution was provided.

(C) In the case of a written agreement entered into with a designated country under this section—

(i) the date on which the agreement was signed; and

(ii) the names of the individuals who signed the agreement.

(D) For each designated country—

(i) the amount provided by the designated country; and

(ii) the amount of any remaining unobligated balance.

(E) The amount of such burden sharing contributions expended, by eligible category, including compensation for local national employees, start-up construction projects, and supplies and services of the Department of Defense.

(F) An explanation of any other burden sharing contributions provided by a designated country under an agreement or authority other than the authority provided by this section.

(G) Any other matter the Secretary of Defense considers relevant.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘approp riate committees of Congress’ means—

(A) the Committee on Armed Services, the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1273. REPORT ON RISK TO PERSONNEL, EQUIPMENT, AND OPERATIONS DUE TO HUAWEI 5G ARCHITECTURE IN HOST COUNTRIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains an assessment of—

(1) the risk to personnel, equipment, and operations of the Department of Defense in host countries posed by the current or intended use by such countries of 5G telecommunications architecture provided by Huawei Technologies Co., Ltd.; and

(2) measures required to mitigate the risk described in paragraph (1), including the merit and feasibility of the relocation of certain operations of the Department to another location without the presence of 5G telecommunications architecture provided by Huawei Technologies Co., Ltd.

(b) FORM.—Each report under paragraph (1) shall be submitted in classified form with an unclassified summary.

SEC. 1274. ALLIED PATIENT MOVEMENT REPORT.

(a) FINDING; SENSE OF CONGRESS.—


(A) the interchangeable, nonreimbursable use of patient movement personnel, either individually or as members of a patient

common defense in accordance with the collective defense agreements or treaties to which such country is a party.

(b) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(1) IN GENERAL.—Not later than March 1 each year, the Secretary of Defense, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and spending as a percentage of the gross domestic products of the country for the fiscal year immediately preceding the fiscal year in which the report is submitted; and

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member state of the North Atlantic Treaty Organization.

(B) Each member state of the Gulf Cooperation Council.


(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

(J) Egypt.

(K) Nigeria.

(L) Turkey.

(M) United Arab Emirates.

(N) Yemen.

(3) AVAILABILITY.—A report submitted under paragraph (1) shall be made available only to any Member of Congress.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

(A) each committee of the Senate, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle G—Other Matters

SEC. 1281. RECIPROCAL PATIENT MOVEMENT AGREEMENTS.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, as amended by section 1241(a), is further amended by adding at the end the following new section:


(A) AUTHORITY.—Subject to the availability of appropriations, the Secretary of Defense, with the concurrence of the Secretary of State, may enter into a bilateral or multilateral memorandum of understanding or other formal agreement with one or more governments of partner countries that provides for—

(A) the interchangeable, nonreimbursable use of patient movement personnel, either individually or as members of a patient
movement crew or team, and equipment, belonging to one partner country to perform patient movement services aboard the aircraft, vessels, or vehicles of another partner country—

(2) the reciprocal recognition and acceptance of—

(A) national professional credentials, certifications, licenses and licenses of patient movement personnel; and

(B) national certifications, approvals, and licenses of equipment used in the provision of patient movement services; and

(3) the acceptance of agreed-upon standards for the provision of patient movement services by aircraft, vessel, or vehicle, including equipment determined to be beneficial and otherwise permitted by law, the harmonization of patient treatment standards and procedures.

(b) CERTIFICATION.—(1) Before entering into a memorandum of understanding or other formal agreement with the government of a partner country under this section, the Secretary of Defense shall certify in writing that the professional credentials, certifications, licenses, and approvals for patient movement personnel and patient movement equipment of the partner country—

(A) meet or exceed the equivalent standards of the United States for similar personnel and equipment; and

(B) provide a level of care comparable to, or better than, the level of care provided by the Department of Defense.

(2) A certification under paragraph (1) shall—

(A) submitted to the appropriate committees of Congress not later than 15 days after the date on which the Secretary of Defense makes the certification; and

(B) reviewed and recertified by the Secretary of Defense not less frequently than annually.

(c) SUSPENSION.—If the Secretary of Defense is unable to recertify a partner country as required by subsection (b)(2)(B), use of the personnel or equipment of the partner country by the Department of Defense under a memorandum of understanding or other formal agreement concluded pursuant to subsection (a) shall be suspended until the date on which the Secretary of Defense is able to recertify the partner country.

(d) DEFINITIONS.—In this section:

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

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) PARTNER COUNTRY.—The term ‘partner country’ means any of the following:

(A) a member country of the North Atlantic Treaty Organization.

(B) Australia.

(C) Japan.

(D) New Zealand.

(E) The Republic of Korea.

(F) any other country designated as a partner country by the Secretary of Defense, with the concurrence of the Secretary of State, for purposes of this section.

(3) PATIENT MOVEMENT.—The term ‘patient movement’ means the act or process of moving wounded, ill, injured, or other persons (including contaminated, contagious, and potentially exposed patients) to obtain medical capability or mental health, or dental care or treatment.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 1241(b), is further amended by adding at the end the following new item:

‘‘2350p. Reciprocal patient movement agreements.’’.

SEC. 1282. EXTENSION OF AUTHORIZATION OF NATIONAL SECURITY INTELLIGENCE PARTNERSHIP TO MONITOR PROTECTION OF NATIONAL SECURITY INTERESTS OF THE UNITED STATES.

Section 2350o of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ‘‘December 31, 2020’’ and inserting ‘‘December 31, 2021’’.

SEC. 1284. NOTIFICATION WITH RESPECT TO WITHDRAWAL OF MEMBERS OF THE ARMED FORCES PARTICIPATING IN THE MULTINATIONAL FORCE AND OBSERVERS IN EGYPT.

(a) IN GENERAL.—Not later than 30 days before a reduction in the number of members of the Armed Forces deployed to the Multinational Force and Observers in Egypt to fewer than 430 such members of the Armed Forces, the Secretary of Defense shall submit to the appropriate committees of Congress a notification that includes the following:

(1) A detailed accounting of the number of members of the Armed Forces to be withdrawn from the Multinational Force and Observers in Egypt and the capabilities that such members of the Armed Forces provide in support of the mission.

(2) An explanation of national security interests of the United States served by such a reduction and an assessment of the effect, if any, such a reduction is expected to have on the security of United States partners in the region.

(3) A description of consultations by the Secretary with the other countries that contribute military forces to the Multinational Force and Observers, including Australia, Canada, Colombia, the Czech Republic, Fiji, France, Italy, Japan, New Zealand, Norway, the United Kingdom, and Uruguay, with respect to the proposed reduction and the results of such consultations.

(4) An assessment of whether other countries, including the countries that contribute military forces to the Multinational Force and Observers, will increase their contributions of military forces to compensate for the capabilities withdrawn by the United States.

(5) An explanation of—

(A) any anticipated negative impact of such a reduction on the ability of the Multinational Force and Observers in Egypt to fulfill its mission of supervising the implementation of the security provisions of the 1979 Treaty of Peace between Egypt and Israel and employing best efforts to prevent any violation of the terms of such treaty; and

(B) the manner in which any such negative impact will be addressed.

(6) Any other matter the Secretary considers appropriate.

(b) FORM.—The notification required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriately committees of Congress’ means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1285. MODIFICATION TO INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY INTERESTS OF THIRD COUNTRIES FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.


(1) in subsection (c)(2)—

(A) in subparagraph (A), by striking ‘‘; and’’ and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ‘‘; and’’; and

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

‘‘(C) ‘‘includes requirements for appropriate senior officials of institutions of higher education to receive from appropriate government agencies updated and periodic briefings that describe the espionage risks posed by technical intelligence gathering activities of near-peer strategic competitors.’’; and

(2) in subsection (e)(2)(D), by striking ‘‘improved’’ and inserting ‘‘improved’’.

SEC. 1286. ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States Government has a responsibility to undertake all reasonable measures to ensure that members of the Armed Forces never present a more technologically advanced foe;

(2) the United States and Israel have several cooperative technology programs to develop and field capabilities in missile defense, counterterrorism, and counter-unmanned aerial systems; and

(3) building on positive ongoing efforts, the United States and Israel should further institutionalize and strengthen their defense innovation partnership by establishing a United States-Israel Operations-Technology Working Group to identify and expeditiously field capabilities that the military forces of both countries need to deter and defeat regional adversaries.

(b) UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.—

(1) ESTABLISHMENT.—Not more than one year after the date of enactment of this Act, the Secretary of Defense, in consultation with the Minister of Defense of Israel, shall establish a United States-Israel Operations-Technology Working Group (in this subsection referred to as the ‘‘Working Group’’) for the following purposes:

(A) To provide a standing forum for the United States and Israel to systematically share intelligence-informed military capability requirements.

(B) To identify military capability requirements common to both the Department of Defense and the Ministry of Defense of Israel.

(C) To assist defense suppliers in the United States and Israel, by incorporating recommendations from such defense suppliers, with respect to joint science, technology, research, development, test, evaluation, and production efforts.

(D) To develop, as feasible and advisable, combined United States-Israel programs to research, develop, procure, and field weapons systems and military capabilities as quickly and economically as possible to meet combined capability requirements.

(2) WORKING GROUP LEADERSHIP.—

(A) UNITED STATES REPRESENTATIVE.—With respect to the United States, the Working Group shall be headed by—
(i) the Secretary, or a designee; and
(ii) the Chairman of the Joint Chiefs of Staff, or a designee.

(B) ISRAEL LEADERSHIP.—The Secretary shall invite the Government of Israel to designate the head of the appropriate office or offices to head the Working Group with respect to Israel.

(3) WORKING GROUP MEMBERSHIP.—
(A) UNITED STATES MEMBERS.—The Secretary, in consultation with other Cabinet members, shall designate one or more individuals to serve as members of the Working Group.

(I) the Office of the Secretary of Defense;

(ii) the Joint Staff;

(iii) each of the military departments (including, as appropriate, subordinate entities such as Army Futures Command and research laboratories);

(iv) the defense agencies (including the Defense Advanced Research Projects Agency, the Defense Intelligence Agency, and the Defense Security Cooperation Agency);

(V) United States Central Command; and

(VI) each of the military departments (including the United States Central Command; the Defense Intelligence Agency, and the Defense Security Cooperation Agency).

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as limiting the authority of the Secretary to add members to the Working Group, as considered appropriate.

(B) ISRAEL MEMBERSHIP.—The Secretary shall invite such representatives of the Government of Israel to designate individuals from the Government of Israel to serve as members of the Working Group, as the Secretary considers appropriate.

(C) EXISTING EFFORTS.—

(i) GENERAL.—Not later than March 15 of each year following the submittal of the initial report required by subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a report on the activities of the Working Group during the preceding calendar year.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A summary of the performance of the Working Group—

(aa) with respect to the first annual report under this subparagraph, the metrics and milestones described in the initial report in accordance with subparagraph (Axii)(VI); or

(bb) with respect to the subsequent annual report under this subparagraph, the metrics and milestones described in the preceding annual report under subclause (VIII).

(ii) A description of military capabilities needed by both the United States and Israel.

(iii) A description of any United States or any United States-Israel science and technology efforts or combined research, development, test, and evaluation efforts associated with Israel.

(D) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as requiring the termination of any existing United States defense activity, group, program, or partnership with Israel.

(E) MEMORANDUM OF UNDERSTANDING.—

(i) GENERAL.—The Secretary shall determine the most efficient and effective means to integrate the Working Group into existing United States science and technology efforts and research, development, test, and evaluation efforts with Israel.

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as limiting the authority of the Secretary to add members to the Working Group, as considered appropriate.

(iii) Clause (i) shall be submitted in unclassified form, and may include a classified annex.

(F) ANNOUNCING.—

(i) IN GENERAL.—Not later than March 15 of each year following the submittal of the initial report required by subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a report on the activities of the Working Group during the preceding calendar year.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A summary of the performance of the Working Group—

(aa) with respect to the first annual report under this subparagraph, the metrics and milestones described in the initial report in accordance with subparagraph (Axii)(VI); or

(bb) with respect to the subsequent annual report under this subparagraph, the metrics and milestones described in the preceding annual report under subclause (VIII).

(ii) A description of any obstacle or challenge associated with an effort described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.

(iii) A description of any request to the Working Group made by a United States or Israeli defense supplier for combined science and technology efforts or combined research, development, test, and evaluation efforts, including—

(aa) the date on which the request was received;

(bb) the efforts made by the Working Group to expeditiously address the request; and

(cc) the status of any decision associated with the request.

(iv) A description of the efforts of the Working Group, including the metrics and milestones described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.

(G) MEMORANDUM OF UNDERSTANDING.—

(i) GENERAL.—The Secretary shall, with the concurrence of the Minister of Defense of Israel, establish a memorandum of understanding between the United States and Israel establishing the United States-Israel Operations Technology Working Group.

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as limiting the authority of the Secretary to add members to the Working Group, as considered appropriate.

(iii) Clause (i) shall be submitted in unclassified form, and may include a classified annex.

(H) REPORTS.—

(A) INITIAL REPORT.—

(i) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter until the next annual report under this subparagraph, the metrics and milestones described in the initial report in accordance with subparagraph (Axii)(VI); or

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as limiting the authority of the Secretary to add members to the Working Group, as considered appropriate.

(B) ANNOUNCING.—

(i) IN GENERAL.—Not later than March 15 of each year following the submittal of the initial report required by subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a report on the activities of the Working Group during the preceding calendar year.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A summary of the performance of the Working Group—

(aa) with respect to the first annual report under this subparagraph, the metrics and milestones described in the initial report in accordance with subparagraph (Axii)(VI); or

(bb) with respect to the subsequent annual report under this subparagraph, the metrics and milestones described in the preceding annual report under subclause (VIII).

(ii) A description of any United States-Israel science and technology efforts or combined research, development, test, and evaluation efforts, associated with the military capabilities described under subclause (II) carried out during the reporting period.

(iii) A description of any obstacle or challenge associated with an effort described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.

(iv) A description of any request to the Working Group made by a United States or Israeli defense supplier for combined science and technology efforts or combined research, development, test, and evaluation efforts, including—

(aa) the date on which the request was received;

(bb) the efforts made by the Working Group to expeditiously address the request; and

(cc) the status of any decision associated with the request.

(v) A description of the efforts of the Working Group, including the metrics and milestones described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.

(vi) A description of any request to the Working Group made by a United States or Israeli defense supplier for combined science and technology efforts or combined research, development, test, and evaluation efforts, associated with the military capabilities described under subclause (II) carried out during the reporting period.

(ii) A description of any obstacle or challenge associated with an effort described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.
(D) plans for the use of the direct hire authority provided under paragraph (4) of that section.

(b) COORDINATION WITH ALLIES AND PART-

NERS OF THE UNITED STATES.—

(1) IN GENERAL.—The Secretary of State shall develop and implement mechanisms and programs, as appropriate, through the head of the Office of Sanctions Coordination established pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by subsection (a)(1), to coordinate the development and implementation of United States sanctions policies with allies and partners of the United States, including the United Kingdom, the European Union, its member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea.

(2) INFORMATION SHARING.—The Secretary shall pursue the development and implementation of mechanisms and programs under paragraph (1), as appropriate, that involve the sharing of information with respect to policy development and sanctions implementation.

(3) CAPACITY BUILDING.—The Secretary should pursue efforts, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, to assist allies and partners of the United States, including the countries specified in paragraph (1), as appropriate, in the development of their legal and technical capacities to develop and implement sanctions authorities.

(4) RECIPIENT PROGRAMS.—In furtherance of the efforts described in paragraph (3), the Secretary, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, may enter into agreements with counterpart agencies in foreign governments establishing exchange programs for the temporary assignment of personnel and the sharing of information and expertise with respect to the development and implementation of sanctions authorities.

(5) BUREAUCRATIC REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Department of State to implement this section, including a description of—

(A) measures taken to implement paragraph (1);

(B) actions pursuant to paragraphs (2) through (4);

(C) the extent of coordination between the United States and allies and partners of the United States, including the countries specified in paragraph (1), with respect to the development and implementation of sanctions policy; and

(D) guidelines preventing closer coordination between the United States and such allies and partners with respect to the development and implementation of sanctions policy.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the President should appoint a coordinator for sanctions and national economic security issues within the framework of the National Security Council.

(d) APPROPRIATE CONGRESSIONAL COM-

MITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations;

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Way and Means of the House of Representatives.

Subtitle H—Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the "Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act".

SEC. 1292. ASSISTANCE FOR UNITED STATES NA-

TIONAL FULLY DETAINED ABROAD.

(a) REVIEW.—The Secretary of State shall review the cases of United States nationals fully detained abroad if there is credible information that they are being detained unlawfully or wrongfully, based on criteria which may include whether—

(1) United States 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 sources of information, exercise, 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 foreign country;

(6) independent nongovernmental organizations or journalists have raised legitimate questions about the innocence of the detained individual; and

(7) the United States mission in the country where the individual is being detained has received credible reports that the detention is for an illegitimate purpose.

(b) PLANS.—The Secretary shall coordinate all diplomatic engagements and strategies in support of hostage recovery and strategy in support of hostage recovery.

(d) FORM.—The report required under this paragraph shall be submitted in unclassified form, but may include a classified annex if necessary.

(e) CONCLUSION.—The Secretary shall submit an assessment with respect to the extent to which the Secretary has pursued the policies and strategies described in paragraph (a) in furtherance of the notification and oversight responsibilities of the Congress that the President should appoint an appropriate Presidential Envoy for Hostage Affairs.

(f) REPORT.—The Secretary shall submit a report to the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations, the Committee on Financial Services, and the Committee on Way and Means of the House of Representatives.

(g) MANDATORY MEANS.—The Secretary shall coordinate all diplomatic engagements and strategies in support of hostage recovery efforts, in coordination with the Hostage Recovery Task Force, and consistent with policies and guidelines provided by the Department of State and consistent with policies and guidelines provided by the Department of Defense.

(h) FORM.—The report required under paragraph (a) shall include current and future recommendations, as well as relevant information about developments in cases and government policy.
SEC. 1294. HOSTAGE RECOVERY FUSION CELL.
(a) ESTABLISHMENT.—The President shall establish an interagency Hostage Recovery Fusion Cell.
(b) PARTICIPATION.—The President shall direct the heads of each of the following executive departments, agencies, and offices to make available personnel to participate in the Hostage Recovery Fusion Cell:
(1) The Department of State.
(2) The Department of the Treasury.
(3) The Department of Defense.
(4) The Department of Justice.
(5) The Office of the Director of National Intelligence.
(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 any 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) coordinate 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 with the United States Government to facilitate a coordinated Hostage-Recovery response;
(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 declas-sification 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 developments in their cases; and
(F) make recommendations to agencies in order to reduce the likelihood of United States nationals’ being taken hostage abroad and enhance United States Government preparation to maximize the probability of a favorable outcome following a hostage-taking; and
(G) coordinate with agencies regarding congressional, media, and other public inquiries pertaining to hostage events.
(e) ADMINISTRATION.—The Hostage Recovery Fusion Cell shall be located within the Federal Bureau of Investigation for administrative purposes.

SEC. 1295. HOSTAGE RESPONSE GROUP.
(a) ESTABLISHMENT.—The President shall establish a Hostage Response Group, chaired by a designated member of the National Security Council or the Deputies Committee of the National Security Council, to be convened on a regular basis, to further the safe recovery of United States nationals held hostage abroad or unlawfully or wrongfully detained abroad, and to be tasked with coordinating the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.
(b) MEMBERSHIP.—The regular members of the Hostage Response Group shall include the Director of the Hostage Recovery Fusion Cell, the Hostage Recovery Fusion Cell’s Family Engagement Coordinator, the Special Envoy appointed pursuant to section 1298, and representatives from the Department of the Treasury, Department of Defense, 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 Response 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 abroad 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 Response Group;
(5) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate or assist in the safe recovery of United States nationals unlawfully or wrongfully detained abroad; and
(6) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.
(d) MEETINGS.—The Hostage Response Group shall meet regularly.
(e) REPORTING.—The Hostage Response Group shall regularly provide recommendations on hostage recovery options and strategies to the National Security Council.

SEC. 1296. AUTHORIZATION OF IMPOSITION OF SANCTIONS.
(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—
(1) is responsible for or is complicit in, or responsible for ordering, controlling, or otherwise directing, the hostage-taking of a United States national abroad or the unlawful or wrongful detention of a United States national abroad; or
(2) knowingly provides financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (1).
(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:
(1) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—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.).
(2) 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 take effect immediately; and
(III) 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 subsection (b) 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.) if such activity is or was authorized by the Central Intelligence Agency or the Department of State.
(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b) shall not apply to any alien if admitting or paroling the alien 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 December 21, 1947, between the United Nations and the United States, or any other applicable international obligations; or
(3) EXCEPTION TO CARRY OUT LAW ENFORCEMENT ACTIVITIES.—Sanctions are not applicable to any person that commits an unlawful act described in subsection (a) of that section.
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 material of the United States that is not covered by section 1403.

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.


Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the activities of the Defense Inspector General of the Department of Defense, as specified in the funding table in section 4501.

Sec. 1405. Working Capital Program.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the Defense Working Capital Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the purpose of eligible beneficiaries.

Subtitle B—Armed Forces Retirement Home

Sec. 1411. Authorization of Appropriations for Armed Forces Retirement Home.

There is hereby authorized to be appropriated for fiscal year 2021 from the Armed Forces Retirement Home Trust Fund the sum of $43,300,000 for purposes of this section.

Sec. 1412. Periodic Inspections of Armed Forces Retirement Home Facilities by Nationally Recognized Accrediting Organization.

(a) In general.—Section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) is amended to read as follows—

"Sec. 1518. Periodic Inspection of Retirement Home Facilities.

(1) INSPECTIONS.—The Chief Operating Officer shall request the inspection of each facility of the Retirement Home by a nationally recognized civilian accrediting organization in accordance with the standards of such organization.

(2) Availability of Staff and Records.—The Chief Operating Officer and the Administrator of a facility being inspected under this section shall make all staff, personnel, and records of the facility available to the inspecting organization in a timely manner for purposes of inspections under this section.

(c) Inspections.—Not less than 60 days after receiving a report on an inspection from the civilian accrediting organization under this section, the Chief Operating Officer shall submit to the Secretary of Defense the Senior Medical Advisor, and the Advisory Council a report containing—

(1) the results of the inspection; and

(2) a plan to address any recommendations and other matters set forth in the report.

(b) Conforming Amendments.—The Armed Forces Retirement Home Act of 1991 (24 U.S.C. 401 et seq.) is further amended as follows:

(1) in section 1516(a)(2) (24 U.S.C. 413a(b)(2)), by striking "(including requirements identified in applicable reports of the Inspector General of the Department of Defense)";

(2) in section 1516(b)(3) (24 U.S.C. 416(b)(3))—

(A) by striking "shall—" and all that follows through "and inserting" and inserting—

(B) by striking ";" and inserting a period; and

(C) by striking subparagraph (B).

(3) in section 1517(e)(2) (24 U.S.C. 417(e)(2)), by striking "the Inspector General of the Department of Defense,;".

Sec. 1413. Expansion of Eligibility for Residence at Armed Forces Retirement Home.

(a) Expansion of Eligibility.—Section 1512(a) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "active" in the first sentence;

(2) in paragraph (1), by striking "are 60 years of age or over and"; and

(3) by adding the following new paragraph:

"(b) Eligibility of Other Persons Who Are Eligible for retired pay under chapter 1232 of title 10, United States Code, and—

(1) are eligible for care under section 1710 of title 38, United States Code; and

(2) are enrolled in coverage under chapter 55 of title 10, United States Code; or
TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2021 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SEC. 1503. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement of equipment and supplies for the Department of Defense for conditional readiness, as specified in the funding table in section 4302.

SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 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, for military personnel, as specified in the funding table in section 4302.

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 expenses, not otherwise provided for, for working capital, as specified in the funding table in section 4302.

SEC. 1507. DRUG INTERDIRECTION AND COUNTERDRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counterdrug Activities, Defense-wide, as specified in the funding table in section 4302.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated 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 4302.

SEC. 1509. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021, in addition to amounts otherwise appropriated, to be used for the purpose of carrying out the provisions of this Act.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this Act in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2021 between such authorizations for the fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorizations to which transferred.

(b) LIMITATION.—The total amount of authorizations that the Secretary may transfer under this section may not exceed $2,000,000,000.

(c) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the terms and conditions as transfers under section 1001.

Subtitle C—Other Matters

SEC. 1531. AFghANISTAN SECURITY FORCES FUNDS.

(a) EXTENSION OF AVAILABILITY OF FUNDS FOR SECURITY OF AFGHAN WOMEN.—Subsection (c)(1) of section 1530 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 122 Stat. 4500) is amended, in the matter preceding subparagraph (A), by striking “fiscal year 2020” and inserting “fiscal year 2021.”

(b) ASSESSMENT OF AFGHANISTAN PROGRESS ON OBJECTIVES.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “June 1, 2020” and inserting “March 1, 2021”; and

(B) in subparagraph (A), by striking “; and” and inserting “; and”, including specific milestones achieved since the date on which the 2020 progress report was submitted;“;

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

“(2) MATTERS TO BE INCLUDED.—In conducting the assessment required by paragraph (1), the Secretary ofDefense shall include each of the following:

“(A) the efforts of the Government of the Islamic Republic of Afghanistan to fulfill the commitments of the Government of the Islamic Republic of Afghanistan under the Joint Declaration between the Islamic Republic of Afghanistan and the United States of America for Bringing Peace to Afghanistan, issued on February 29, 2020;“;

(c) ADDITIONAL AUTHORIZATIONS.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.
“(ii) reducing the use of Afghan National Defense and Security Forces checkpoints; and

(iii) curtailing the use of Afghan Special Security Forces, including any special units or missions that are better suited to general purpose forces.

(E) The distribution practices of the Afghan National Defense and Security Forces and elements of the Government of the Islamic Republic of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to, and employed by, security forces.

(F) The progress made with respect to the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces.

(G) The extent to which the Government of the Islamic Republic of Afghanistan is adhering to conditions for receiving assistance established in annual financial commitment letters or any other bilateral agreement with the United States.

(H) Such other factors as the Secretaries determine appropriate.

(2) by inserting paragraph (4) to read as follows:

“(4) WITHHOLDING OF FUNDS FOR INSUFFICIENT PROGRESS.—

“(A) Certification.—Not later than December 31, 2020, the Secretary of Defense, in coordination with the Secretary of State and the Special Inspector General under this section and the Office of the Special Inspector General for Operation Freedom’s Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978, shall determine that withholding such funds pursuant to the assessment under paragraph (1), shall submit to the congressional defense committees a certification indicating whether the Government of the Islamic Republic of Afghanistan has made sufficient progress in the areas described in paragraph (2), the Secretary of Defense shall—

“(i) withhold from expenditure and obligation an amount that is not less than 5 percent and not more than 15 percent of the amounts made available for assistance for the Afghan National Defense and Security Forces for fiscal year 2021 until the date on which the Secretary is able to so certify; and

“(ii) notify the congressional defense committees not later than 30 days before withholding such funds and indicate the specific areas of insufficient progress.

(C) WAIVER.—If the Secretary of Defense determines that withholding such funds would impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance to the Afghan National Defense and Security Forces for fiscal year 2021, the Secretary may waive the withholding requirement under subparagraph (B) if the Secretary, in coordination with the Secretary of State, certifies such determination to the congressional defense committees not later than 30 days before the effective date of the waiver.

(c) ADDITIONAL REPORTING REQUIREMENTS.—Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting “fiscal year 2021” and inserting “fiscal year 2020”

(2) in paragraph (1), by striking “fiscal year 2019” and inserting “fiscal year 2020”;

(3) in paragraph (2), by striking “fiscal year 2020” and inserting “fiscal year 2021”;

and

(4) by amending paragraph (3) to read as follows:

“(3) The amounts described in paragraph (2) exceed the amount described in paragraph (1)—

“(A) an explanation as to why such amounts are greater; and

“(B) a detailed description of the specific entities and purposes that were supported by such increase.

(D) CONFORMING AMENDMENT.—Such section is further amended by striking “Government of Afghanistan” each place it appears and inserting “Government of the Islamic Republic of Afghanistan”.

SEC. 1532. TRANSITION AND ENHANCEMENT OF INSPECTION GENERAL AUTHORITIES FOR AFGHANISTAN RECONSTRUCTION.

(a) Sense of Congress.—It is the sense of the Senate to commend the Special Inspector General for Afghanistan Reconstruction, and the Office of the Special Inspector General for Afghanistan Reconstruction designation pursuant to section 8L(d) of the Inspector General Act of 1978.

(b) Responsibilities for Coordination of Efforts Vested in Lead IG for Operation Freedom’s Sentinel.—Such section is further amended—

(1) by redesignating subsections (g) through (o) as subsections (h) through (p), respectively; and

(2) by inserting after subsection (f) the following new subsection (g):

“(g) COORDINATION AND DECONFLICTION OF EFFORTS.—

“(1) COORDINATION AND DECONFLICTION THROUGH LEAD IG FOR OPERATION FREEDOM’S SENTINEL.—The Lead Inspector General for Operation Freedom’s Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978 shall exercise all duties, responsibilities, and authorities for the coordination and deconfliction of inspector general activities in or in regard to Afghanistan.

“(2) COORDINATION IN DISCHARGE.—In carrying out duties, responsibilities, and authorities under paragraph (1), the Lead Inspector General referred to in that paragraph shall coordinate with, receive the cooperation of, and be responsible for deconfliction among the following:


“(B) The Inspector General under this section.

(g) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) in paragraph (5)(A), by inserting “pertaining to the exercise by the Inspector General of duties, responsibilities, or authorities specified in subsection (f)” after “information and assistance”; and

(2) by striking paragraph (6).

(h) REPORTS.—Subsection (j) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) in paragraph (1)—

(A) by striking the matter preceding subparagraph (A) and inserting the following:

“(1) SEMI-ANNUAL REPORTS.—Not later than 30 days after the end of the second quarter of each fiscal year, and not later than 30 days after the end of the fourth quarter of each fiscal year, the Inspector General shall submit, to the Committees a report setting forth a summary, for the two fiscal year quarters ending before the date on which such report is required to be submitted, of the activities of the Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for the reconstruction of Afghanistan.

“(2) DETAILED REPORTS.—Each report required under subsection (1) shall include—

“(A) an explanation as to why such amounts are greater; and

“(B) a detailed description of the specific entities and purposes that were supported by such increase.

“(C) SCOPE OF DUTIES AND RESPONSIBILITIES.—

“(1) Military operations or activities (including security assistance or cooperation), unless such operations or activities are funded using a Fund or account specified in subsection (f)(1).

“(2) Contracts for personal security.

“(B) ASSIGNMENT OF DUTIES AND RESPONSIBILITIES FOR SUCH MATTERS.—Duties and responsibilities for the coordination and deconfliction of inspector general activities in or in regard to Afghanistan shall coordinate with, receive the cooperation of, and be responsible for deconfliction among the following:

“(A) The Lead Inspector General for Operation Freedom’s Sentinel.

“(B) The Inspector General under this section.


“(D) The inspector general activities in or in regard to Afghanistan.
SEC. 1602. DEVELOPMENT EFFORTS FOR NATIONAL SECURITY SPACE LAUNCH PROVIDERS.

(a) In General.—The Secretary of the Air Force shall establish a program to develop technologies and systems to enhance phase phase Two acquisition strategy for the National Security Space Launch program, the Secretary of Defense shall complete the nonrecurring design validation of previously flown launch hard-ware for National Security Space Launch Providers that offer such hardware for use in the phase two acquisition strategy or other national security space missions.

SEC. 1604. 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 operation;

(B) tactics;

(C) training; and

(D) procedures; and

(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

(C) to identify basing capabilities necessary to enable tactically responsive space launch, including mobile launch range infrastruc-

SEC. 1605. CONFORMING AMENDMENTS RELATING TO REESTABLISHMENT OF ENTITIES.

(a) Certifications Regarding Integrated Tactical Warning and Attack Assessment

(b) Designation of Reconstitution

(c) Implementation of Reconstitution

(d) Transfer of Property to Reconstituting Command
COMMISSION OF THE AIR FORCE.—Section 1666(a) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 113 Stat. 3217) is amended by striking “Strategic Command” and inserting “Space Command.”

(b) COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.—Section 2279b of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (7), (8), (9), and (10) as paragraphs (8), (9), (10), and (11), respectively; and

(B) by inserting after paragraph (6) the following new paragraph (7):

“7. The Secretary of the United States Space Command.”; and

(2) in subsection (f), by striking “Strategic Command” each place it appears and inserting “Space Command”.

(c) INTERAGENCY COMBINED SPACE OPERATIONS CENTER.—Section 605(e) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 131 Stat. 832) is amended—

(1) in the subsection heading, by striking “J OINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER.”; and

(2) by striking “Strategic Command” each place it appears and inserting “National Space Defense Center.”

(d) NATIONAL SECURITY SPACE SATellite REPORTING POLICY.—Section 2278(a) of title 10, United States Code, is amended by striking “Strategic Command” and inserting “Space Command”.

(e) SPACE-BASED INFRARED SYSTEM AND ADVANCED TACTICAL HIGH FREQUENCY PROGRAM.—Section 1612(a)(1) of the National Defense Authorization Act for 2017 (Public Law 114–328; 130 Stat. 2580) is amended by striking “Strategic Command” and inserting “Space Command”.

SEC. 1065. SPACE DEVELOPMENT AGENCY DEVELOPMENT REQUIREMENTS AND TRANSFER TO SPACE FORCE. (a) DEVELOPMENT.—The Director of the Space Development Agency shall—

(1) develop and demonstrate a resilient military space-based sensing, tracking, and data transport architecture that primarily uses a proliferated low-Earth orbit; and

(2) the integration of next-generation space capabilities, and sensor and tracking components (including a hypersonic and ballistic missile defense, space sensor payload), into such architecture to address the requirements and needs of the Armed Forces and combatant commands for such capabilities.

(b) TRANSFER.—On October 1, 2022, or earlier if directed by the Secretary of Defense, the Space Development Agency shall be transferred from the Office of the Secretary of the United States Air Force and shall maintain the same organizational reporting requirements and acquisition authorities as the Space Rapid Capabilities Office.

SEC. 1067. SPACE LAUNCH RATE ASSESSMENT. Not later than 90 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees an assessment that includes—

(1) a total number of space launches for all national security and Federal civil agency activities conducted in the United States during the preceding two-year period; and

(2) the number of space launches by the same sponsors projected to occur during the following three-year period, including—

(A) the number of launches, disaggregated by class of launch vehicle; and

(B) the number of payloads, disaggregated by orbital destination.

SEC. 1068. REVISED IMPACT OF ACQUISITION STRATEGY FOR THE NATIONAL SECURITY SPACE LAUNCH PROGRAM ON THE UNITED STATES SPACE LAUNCH PROVIDERS. Not later than 90 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on the impact of the acquisition strategy for the National Security Space Launch program on the potential for foreign countries, including the People’s Republic of China, to enter the global commercial space launch market.

SEC. 1069. LEVERAGING COMMERCIAL SATellite REMOTE SENSing. (a) IN GENERAL.—In acquiring geospatial-intelligence, the Secretary of Defense, in coordination with the Director of the National Reconnaissance Office and the Director of the National Geospatial-Intelligence Agency, shall leverage, to the maximum extent practicable, the capabilities of United States industry, including the use of commercial geospatial-intelligence services and acquisition of commercial satellite imagery.

(b) OBTAINING FUTURE GEOSPATIAL-INTELLIGENCE.—Sections 911 and 932 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 115–31; 10 U.S.C. 111 note), the Principal Cyber Advisor shall—

(1) integrate the cyber expertise and perspectives of appropriate organizations within the Office of the Secretary of Defense, Joint Staff, military departments, the Defense Agencies and Field Activities, and combatant commands, by assigning and maintaining a full-time cross-functional team of subject matter experts from those organizations;

(2) select team members, and designate a team leader, from among those personnel nominated by the heads of such organizations;

(b) DESIGNATION OF DEPUTY PRINCIPAL CYBER ADVISOR.—Section 905(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking “Under Secretary of Defense for Policy” and inserting “Secretary of Defense.”

SEC. 1062. FRAMEWORK FOR CYBER HUNT FORWARD OPERATIONS. (a) FRAMEWORK REQUIRED.—Not later than February 1, 2021, the Secretary of Defense shall develop a standard, comprehensive framework to ensure consistency, execution, and effectiveness of cyber hunt forward operations.

(b) ELEMENTS.—The framework developed pursuant to subsection (a) shall include the following:

(1) Identification of the selection criteria for proposed hunt forward operations, including specification of necessary thresholds for the justification of operations and thresholds for partner cooperation.

(2) The roles and responsibilities of the following organizations in the support of the planning and execution of hunt forward operations:

(A) United States Cyber Command.

(B) The Office of the Under Secretary of Defense for Policy.

(C) Geographic combatant commands.

(D) Cyber Operations-Integrated Planning Elements and Joint Cyber Centers.

(E) Embassies and consulates of the United States.

(3) Pre-deployment planning guidelines to maximize the operational success of each unique operation, including guidance that takes into account the highly variable nature of the following aspects at the tactical level:

(A) Team composition, including necessary skillsets, recommended training, and guidance for mission size and scope.

(B) Relevant factors to determine mission duration in a country of interest.
SEC. 1613. MODIFICATION OF SCOPE OF NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS.

Subsection (c) of section 396 of title 10, United States Code, is amended—

(a) by striking subsection (a) and inserting the following new subsections:

"(a) BRIEFINGS REQUIRED.—The Under Secretary of Defense for Policy, the Commander of United States Cyber Command, and the Chairman of the Joint Chiefs of Staff, or designees from each of their offices, shall provide to the committees on national security and military affairs of the Senate and the House of Representatives a briefing on the framework developed pursuant to subsection (a).

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of the framework developed in subsection (a).

(B) An explanation of the tradeoffs associated with the use of Department of Defense resources for hunt forward missions in the context of competing priorities.

(C) Any recommendations as the Secretary may have for legislative action to improve the effectiveness of hunt forward missions.

(b) MODIFICATION.—Not later than March 1, 2021, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the framework developed pursuant to subsection (a).

(c) RESOLUTION.—The briefing required by paragraph (1) shall include the following:

(A) An overview of the framework developed in subsection (a).

(B) An explanation of the tradeoffs associated with the use of Department of Defense resources for hunt forward missions in the context of competing priorities.

(C) Any recommendations as the Secretary may have for legislative action to improve the effectiveness of hunt forward missions.

SEC. 1614. ASSESSMENT OF CYBER OPERATIONAL PLANNING AND DECONFLICTION POLICIES AND PROCEDURES.

Section 481 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

"(a) ASSESSMENT.—Not later than November 1, 2021, the Principal Cyber Advisor of the Department of Defense and the Commander of United States Cyber Command shall jointly, in coordination with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Intelligence and Security, and the Chairman of the Joint Chiefs of Staff, conduct and complete an assessment on the operational planning and deconfliction policies and processes that guide cyber operations of the Department of Defense.

(b) ELEMENTS.—The assessment required by subsection (a) shall include evaluations as to whether—

(1) the joint targeting cycle and relevant operational and targeting databases are suitable for the conduct of timely and well-coordinated cyber operations; and

(2) each of the policies and processes in effect to facilitate technical, operational, and
capability deconfliction are appropriate for the conduct of timely and effective cyber operations;
(3) intelligence gain-loss decisions made by Cyber Command are sufficiently well-informed and made in timely fashion;
(4) relevant intelligence data and products are consistently available and distributed to relevant cyber and operational elements in Cyber Command;
(5) collection operations and priorities meet the operational requirements of Cyber Command; and
(6) authorities relevant to intelligence, surveillance, and reconnaissance and operational preparation of the environment are delegated at an appropriate level.

(c) Briefing.—Not later than February 1, 2022, the Principal Cyber Advisor and the Commander of United States Cyber Command shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the findings of the assessment conducted under subsection (a), including discussion of planned policy and process changes, if any, relevant to cyber operations.

SEC. 1618. PILOT PROGRAM ON CYBERSECURITY CAPABILITY METRICS.

(a) Pilot Program Required.—The Secretary of Defense through the Chief Information Officer of the Department of Defense and the Commander of United States Cyber Command shall conduct a pilot program to develop feasibility and ability of using and developing speed-based metrics to measure the performance and effectiveness of security operations centers and cyber security service providers in the Department of Defense.

(b) Requirements.—
(1) Definition of Metrics.—(A) Not later than July 1, 2021, the Chief Information Officer and the Commander shall jointly develop metrics described in subsection (a) to carry out the pilot program under such subsection.

(B) The Chief Information Officer and the Commander shall ensure that the metrics described in paragraph (A) are commensurate with the representative timelines of nation-state and non-nation-state actors when gaining access to, and compromising, Department networks.

(2) Use of Metrics.—(A) Not later than December 1, 2021, the Secretary shall, in carrying out the pilot program required by subsection (a), select the metrics developed under paragraph (1) of this subsection to assess select security operations centers and cyber security service providers, which the Secretary shall select specifically for purposes of the pilot program, for a period of not less than four months.

(B) In carrying out the pilot program under subsection (a), the Secretary shall evaluate the effectiveness of operators, capabilities available to operators, and operators’ tactics, techniques, and procedures.

(c) Briefing.—In carrying out the pilot program under subsection (a), the Secretary may—
(1) assess select security operations centers and cyber security service providers—

(A) over the course of their mission performance; or

(B) in the testing and accreditation of cybersecurity products and services on test networks designated pursuant to section 1658 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92); and

(2) assess select elements’ use of security orchestration and response technologies, modern endpoint security technologies, Big Data technologies, cloud instantiations, and technologies relevant to zero trust architectures.

(d) Briefing.—

SEC. 1619. ASSESSMENT OF EFFECT OF INCONSISTENT TIMING AND USE OF NETWORK ADDRESS TRANSLATION IN DEPARTMENT OF DEFENSE NETWORKS.

(a) In General.—Not later than March 1, 2021, the Chief Information Officer of the Department of Defense shall conduct comprehensive assessments as follows:

(1) Timing Variability in Department Networks.—The Chief Information Officer shall characterize—

(A) timing variability across Department information technology and operational technology networks, appliances, devices, applications, and sensors that generate time-stamped data and metadata used for cybersecurity purposes;

(B) how timing variability affects current, planned, and potential capabilities for detecting network intrusions that rely on correlating events and the sequence of events; and

(C) how to harmonize standard of timing across Department networks.

(2) Use of Network Address Translation.—The Chief Information Officer shall characterize—

(A) why and how the Department is using Network Address Translation (NAT) and multiple layers and nesting of Network Address Translation;

(B) how using Network Address Translation and the ability to link malicious communications detected at various network tiers to specific endpoints or hosts to enable prompt additional investigations, quarantine decisions, and remediation activities; and

(C) what steps and associated cost and schedule are necessary to eliminate the use of Network Address Translation or to otherwise provide transparency to network defenders, including options to accelerate the transition from Internet Protocol version 4 to Internet Protocol version 6.

(b) Recommendation.—The Chief Information Officer and the Principal Cyber Advisor shall submit to the Secretary of Defense a recommendation to address the assessments conducted under subsection (a), including whether and how to revise the cyber strategy of the Department.

(c) Briefing.—Not later than April 1, 2021, the Chief Information Officer shall brief the congressional defense committees on the findings of the Chief Information Officer conducted under subsection (a) and the recommendation submitted under subsection (b).
SEC. 1622. EXTENSION OF CYBERSPHERE SOLARUM COMMISSION TO TRACK AND ASSESS DEFENSE SYSTEMS FOR USER ACTIVITY MONITORING AND CYBERSECURITY.

(a) INTEGRATION OF PLANS, CAPABILITIES, AND PROCESSES.—The Secretary of Defense shall integrate the plans, capabilities, and systems for user activity monitoring, and the plans, capabilities, and systems for endpoint detection and response, into the collection of metadata on network activity for cybersecurity to enable mutual support and information sharing.

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall—

(1) conduct using the Big Data Platform initiatives to have in place, the Under Secretary of Defense for Storage and Analysis of all user activity monitoring data collected across the Department of Defense Information Network at all security classification levels;

(2) develop policies and procedures governing access to user activity monitoring data or data derived from user activity monitoring by operators; and

(3) develop processes and capabilities for using metadata on host and network activity for user activity monitoring in support of the insider threat mission.

(c) CONGRESSIONAL BRIEFING.—Not later than October 1, 2021, the Secretary shall provide a briefing to the congressional defense committees on actions taken to carry out this section.

SEC. 1623. DEFENSE INDUSTRIAL BASE CYBERSECURITY SENSOR ARCHITECTURE PLAN.

(a) PLAN REQUIRED.—Not later than February 1, 2021, the Principal Cyber Advisor shall ensure that effective consultation with representative companies of the defense industrial base occurs so as to ensure that prospective participants in the defense industrial base understand and agree that emerging solutions are acceptable, practical, and effective.

(b) ASSIGNMENT OF FORCES.—(1) Active and reserve cyber forces of the armed forces shall be assigned to the cyber command through the Global Force Management Process, as approved by the Secretary of Defense.

(2) Not assigned to cyber command remain assigned to combatant commands or service-retained.”

SEC. 1624. EXTENSION OF CYBERSPHERE SOLARUM COMMISSION TO TRACK AND ASSESS DEFENSE SYSTEMS FOR USER ACTIVITY MONITORING AND CYBERSECURITY.

(a) INTEGRATION OF PLANS, CAPABILITIES, AND PROCESSES.—The Secretary of Defense shall integrate the plans, capabilities, and systems for user activity monitoring, and the plans, capabilities, and systems for endpoint detection and response, into the collection of metadata on network activity for cybersecurity to enable mutual support and information sharing.

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall—

(1) consider using the Big Data Platform initiatives to have in place, the Under Secretary of Defense for Storage and Analysis of all user activity monitoring data collected across the Department of Defense Information Network at all security classification levels;

(2) develop policies and procedures governing access to user activity monitoring data or data derived from user activity monitoring by operators; and

(3) develop processes and capabilities for using metadata on host and network activity for user activity monitoring in support of the insider threat mission.

(c) CONGRESSIONAL BRIEFING.—Not later than October 1, 2021, the Secretary shall provide a briefing to the congressional defense committees on actions taken to carry out this section.

SEC. 1625. REVIEW OF REGULATIONS AND PROCLAMATION OF GUIDANCE RELATING TO NATIONAL GUARD RESPONSES TO CYBER ATTACKS.

(a) IN GENERAL.—Not later than December 31, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall—

(1) review and, if the Secretary determines necessary, update regulations promulgated under section 903 of title 32, United States Code, to clarify when and under what conditions the participation of the National Guard in a response to a cyber attack qualifies as a homeland defense activity that would be compensated for by the Secretary of Defense under section 902 of such title; and

(2) submit a report to the Senate and the Committee on Homeland Security and Governmental Affairs of the Senate; and

SEC. 1626. REVIEW OF CYBER SECURITY ADVICE AND ASSISTANCE.

(a) IN GENERAL.—Not later than December 31, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall—

(1) review and, if the Secretary determines necessary, update regulations promulgated under section 903 of title 32, United States Code, to clarify when and under what conditions the participation of the National Guard in a response to a cyber attack qualifies as a homeland defense activity that would be compensated for by the Secretary of Defense under section 902 of such title; and

(2) submit a report to the Senate and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) include in the legislation for the Fiscal Year 2022, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs of the Senate;
(A) A review of the law, policies, and authorities relating to, and necessary for, the United States to maintain a safe, reliable, and credible cyber posture for defending against and responding to cyber attacks and for deterrence in cyberspace, including the following:

"(1) An assessment of the need for further delegation of authority to the Cyber Command; and

"(2) A review of the following:

"(A) The role of cyber operations in combatant commander warfighting plans.

"(B) The ability of combatant commanders to respond to adversary cyber attacks.

"(C) The cyber capacity-building programs of the Department.

"(3) Recommendations for actions to enable the—

"(A) A determination of the appropriate size and composition of the Cyber Mission Forces to achieve the mission requirements of the Department.

"(B) An evaluation of the Cyber Mission Forces’ personnel, capabilities, equipment, funding, operational concepts, and ability to execute cyber operations in a timely fashion.

"(C) The Cyber capacity-building programs of the Department.

"(4) An assessment of the need for or for updates to a declaratory’’;

"(5) by striking paragraph (8) and inserting the following new paragraph (8):

"(9) An assessment of the adequacy of the Cyber Mission Forces’ personnel, capabilities, equipment, funding, operational concepts, and ability to execute cyber operations in a timely fashion.

"(10) An evaluation of the adequacy of mission authorities for the Joint Force Provider and Joint Force Trainer responsibilities of United States Cyber Command, including the adequacy of the units designated as Cyber Operations Forces to support such responsibilities.

"(11) An assessment of the missions and resourcing of the combat support agencies in support of cyber missions of the Department.

SEC. 1627. REPORT ON ENABLING UNITED STATES CYBER COMMAND TO ACHIEVE EFFECTIVENESS.

(a) IN GENERAL.—Not later than January 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report detailing the actions the Secretary will undertake to implement clauses (ii) and (iii) of section 1671(d)(2) of title 10, United States Code, including actions to ensure that the Cyber Mission Forces of the United States Cyber Command are capable of executing the mission.

"(B) An evaluation of the adequacy of mission authorities for the Joint Force Provider and Joint Force Trainer responsibilities of United States Cyber Command, including the adequacy of the units designated as Cyber Operations Forces to support such responsibilities.

"(11) An assessment of the missions and resourcing of the combat support agencies in support of cyber missions of the Department.

SEC. 1628. EVALUATION OF OPTIONS FOR ESTABLISHING A CYBER RESERVE FORCE.

(a) EVALUATION REQUIRED.—Not later than December 31, 2021, the Secretary of Defense shall conduct an evaluation of options for establishing a cyber reserve force.

(b) ELEMENTS.—The evaluation conducted under subsection (a) shall include assessment of the following:

"(1) The capabilities and deficiencies in military and civilian personnel with needed cybersecurity expertise, and the quantity of personnel with such expertise, within the Department.

"(2) The potential for a uniformed, civilian, or mixed cyber reserve force to remedy shortfalls in expertise and capacity.

"(3) The ability of the Department to attract, develop, and retain personnel with cybersecurity expertise, and the potential for a civilian cyber reserve force.

"(4) The number of personnel, the level of funding, and the components of a cyber reserve force that would be required to meet the needs of the Department.

"(5) Alternative models for establishing a cyber reserve force, including the following:

"(A) A traditional uniformed military reserve component.

"(B) A nontraditional uniformed military reserve component, with respect to drilling and other requirements such as grooming and physical fitness.

"(C) Nontraditional civilian cyber reserve options.

"(6) The impact a uniformed military cyber reserve would have on active duty and existing reserve forces, including the following:

"(A) Recruiting.

"(B) Promotion.

"(C) Retention.

"(7) The effect a civilian cyber reserve would have on active duty and existing reserve forces, and the private sector.

"(C) REPORT.—Not later than February 1, 2022, the Secretary shall submit to the congressional defense committees a report on the evaluation conducted under subsection (a).
the military services, combatant commands, the Defense Agencies, and the Department of Defense Field Activities; and
(B) cybersecurity capabilities to be acquired, including operational standards, techniques, and procedures, including cyber protection team and sensor deployment strategies, to be used to monitor, defend, and mitigate cyberattacks in nuclear command and control systems; and
(2) an oversight mechanism or governance model for overseeing the implementation of the concept of operations developed and established under paragraph (1), related development, systems engineering, and acquisition activities and programs, and the plan required by subsection (a), including specification of the—
(A) roles and responsibilities of relevant entities within the Office of the Secretary, the Defense Agencies, and the Department of Defense Field Activities in overseeing the defense of the nuclear command and control system;
(B) responsibilities and authorities of the Strategic Cybersecurity Program in overseeing and, as appropriate, executing—
(i) vulnerability assessments; and
(ii) development, systems engineering, and acquisition activities; and
(C) processes for coordination of activities, policies, and programs relating to the cybersecurity and defense of the nuclear command and control system.

SEC. 1630. MODIFICATION OF REQUIREMENTS RELATING TO THE STRATEGIC CYBERSECURITY PROGRAM AND THE EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPONS SYSTEMS OF THE DEPARTMENT OF DEFENSE
(a) EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.—
(1) IN GENERAL.—Section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as amended by section 1633 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by adding at the end the following new subsection:
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(3) PROGRAM MANAGER.—The Secretary of Defense shall designate a manager for the Program (in this section referred to as the ‘Program manager’).
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(b) RESPONSIBILITIES.—
(1) IN GENERAL.—The Program manager and the personnel assigned to the Program shall conduct end-to-end cybersecurity of all of the systems, critical infrastructure, kill chains, and incident response, and may make up this following military missions of the Department of Defense:

(A) Nuclear deterrence and strike.
(B) Select the national or international strike missions germane to the warfighting plans of United States European Command and United States Indo-Pacific Command.
(C) Offense.
(D) Homeland missile defense.
(2) ASSESSING AND REMEDIATING VULNERABILITIES IN MISSION EXECUTION.—In carrying out paragraph (1), the Program manager shall conduct end-to-end vulnerability assessments and undertake or oversee remediation of identified vulnerabilities in the systems and processes on which the successful execution of the missions delineated in paragraph (1) depend.

(c) ACQUISITION AND SYSTEMS ENGINEERING REVIEW.—In carrying out paragraph (1), the Program manager shall conduct appropriate reviews of acquisition and systems engineering plans for proposed systems and infrastructure. The review of an acquisition plan for any proposed system or infrastructure shall be carried out before Milestone B approval for the development or acquisition.

(d) INTEGRATION WITH OTHER EFFORTS.—The Secretary shall ensure that the Program builds upon, and does not duplicate, other efforts of the Department of Defense relating to cybersecurity, including the following:


(3) The activities of the cyber protection teams of the Department of Defense.

(e) MISSIONS.—The Vice Chairman of the Joint Chiefs of Staff, establish a program to be known as the ‘Strategic Cybersecurity Program’ (in this section referred to as the ‘Program’).

(f) BRIEFING.—Not later than January 1, 2021, the Secretary of Defense shall provide a briefing to the congressional defense committees on the establishment of the Program, and the plans, funding, and staffing of the Program.''

SEC. 1631. DEFENSE INDUSTRIAL BASE PARTICIPATION IN STRATEGIC CYBER VULNERABILITY THREAT INTELLIGENCE SHARING PROGRAM
(a) DEFENSE INDUSTRIAL BASE THREAT INTELLIGENCE PROGRAM.—
(1) IN GENERAL.—The Secretary of Defense shall establish a threat intelligence sharing program to share threat intelligence with, and obtain threat intelligence from, the defense industrial base.

(2) REQUIREMENTS.—At a minimum, the Secretary shall ensure that the program established pursuant to paragraph (1) includes the following:

(A) Cybersecurity incident reporting requirements applicable to the defense industrial base that—
(i) extend beyond mandatory incident reporting requirements in effect on the day before the date of enactment of this Act; and
(ii) set specific timeframes for all categories of Incidents.

(B) A mechanism for developing a shared and real-time picture of the threat environment.

(C) Joint, collaborative, and co-located analytics.

(D) Investments in technology and capabilities to support automated detection and analysis across the defense industrial base.

(E) Coordinated intelligence tipping, sharing, and deconfliction, as necessary, with relevant government agencies with similar intelligence sharing programs.

(b) THREAT INTELLIGENCE PROGRAM PARTICIPATION.—
(1) PROCUREMENT.—The Secretary either may require or shall encourage and provide an incentive for companies to participate in the threat intelligence sharing program required by subsection (a).

(2) IMPLEMENTATION.—In implementing paragraph (1), the Secretary—

(A) create tiers of participation within the program based on—
(i) the role of and relative threats related to entities within the defense industrial base; and
(ii) Cybersecurity Maturity Model Certification level; and
(B) prioritize available funding and technical support to assist affected businesses, institutions, and organizations as reasonably necessary for those affected entities to commence participation in the threat intelligence sharing program and to meet any applicable program requirements.

(c) EXISTING INFORMATION SHARING PROGRAMS.—The Secretary may utilize an existing information sharing program to satisfy the requirement in subsection (a) if—

(1) the existing program includes, or may require or shall encourage and provide an incentive for companies to participate in the threat intelligence sharing program and to meet any applicable program requirements.

(2) the existing program includes, or may require or shall encourage and provide an incentive for companies to participate in the threat intelligence sharing program and to meet any applicable program requirements.
such a program is coordinated with other government agencies with existing intelligence sharing programs where overlap occurs.

(3) SIMULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than December 15, 2021, the Secretary shall promulgate rules and regulations as are necessary to carry out this section.

(2) CYBERSECURITY MATURITY MODEL CERTIFICATION PROGRAM HARMONIZATION.—The Secretary shall ensure that any intelligence sharing requirements set forth in the rules and regulations promulgated pursuant to paragraph (1) consider an entity’s maturity and readiness to undertake cybersecurity services conducted by the Department of Defense; and consistent with the maturity certification levels established in the Cybersecurity Maturity Model Certification program of the Department.

(e) COMMUNITY CONSENT.—

(1) IN GENERAL.—As part of the program established pursuant to subsection (a), the Secretary either may require or allow contractors to share information amongst the defense industrial base.

(2) PROCEDURE FOR SECURITY.—In the course of providing services, the contractor shall ensure the confidentiality and security of data provided to such companies or to require that information resulting from such queries be provided to such companies.

(f) REPORT REQUIRED.—Not later than March 1, 2022, the Secretary shall submit to the congressional defense committees a report that includes a description of—

(1) mandatory requirements levied on defense industrial base entities regarding cyber incidents;

(2) Department procedures for ensuring the confidentiality and security of data provided by such entities to the Department on either a voluntary or mandatory basis;

(3) any other matters regarding the program established under subsection (a) the Secretary considers significant.

(g) DEFINITIONS.—In this section:

(1) The term ‘‘defense industrial base’’ means the Department of Defense, Federal Government, and non-government sector worldwide industrial complex with capabilities to perform research and development, design, produce, and maintain military weapon systems, components, or parts to satisfy military requirements.

(2) The term ‘‘intelligence community’’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) The term ‘‘threat intelligence’’ means cybersecurity information collected and shared within the defense industrial base.

SEC. 1632. ASSESSMENT ON DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING.

(a) ASSESSMENT REQUIRED.—Not later than December 1, 2021, the Secretary of Defense shall complete an assessment of—

(1) the threat hunting elements of the compliance-based Cybersecurity Maturity Model Certification program of the Department of Defense; and

(2) the ability of the contractor to provide continuous threat-hunting operations on defense industrial base networks conducted by the Department of Defense, prime contractors, or third-party cybersecurity vendors.

(b) ELEMENTS.—The assessment completed under section (a) shall include evaluation of the following:

(1) The adequacy of the requirements at each level of the Cybersecurity Maturity Model Certification, including requirements germane to continuous monitoring, discovery, and investigation of anomalous activity indicative of a cybersecurity incident.

(2) The adequacy of the assessment of a continuous threat-hunting operational model, as a supplement to the cyber hygiene requirements of the Cybersecurity Maturity Model Certification, such that all cyber operations are comprehensively and continuously monitored for signs of compromise.

(3) Whether the continuous threat-hunting operations described in paragraph (2) should be conducted by—

(A) United States Cyber Command;

(B) a component of the Department of Defense other than the United States Cyber Command;

(C) qualified prime contractors or subcontractors; or

(D) accredited third-party cybersecurity vendors; or

(E) a combination of the entities specified in paragraph (2) through (D).

(4) Criteria for the prime contractors and subcontractors that should be subject to continuous threat-hunting operations as described in paragraph (2) to determine whether the requirements are adequate.

(b) RULEMAKING AUTHORITY.—Not later than February 1, 2022, the Secretary of Defense shall provide a briefing to the Armed Services Committees of the Senate and the Committee on Armed Services of the House of Representatives on—

(1) the findings of the Secretary with respect to the assessment completed under section (a); and

(2) such implementation plans as the Secretary may have arrived at the findings described in paragraph (1).

SEC. 1633. ASSESSING RISK TO NATIONAL SECURITY OF QUANTUM COMPUTING.

(a) COMPREHENSIVE ASSESSMENT AND RECOMMENDATIONS REQUIRED.—Not later than December 31, 2022, the Secretary of Defense shall—

(1) complete a comprehensive assessment of the current and potential threats and risks posed by quantum computing technologies and hardware to critical national security systems, including—

(A) identification and prioritization of critical national security systems at risk; and

(B) by amending paragraph (3) to read as follows:

(3) The Secretary shall—

(A) assess the standards of the National Institute of Standards and Technology for quantum resistant cryptography and their applicability to cryptographic requirements of the Department; and

(B) assessment of the feasibility of alternative quantum resistant algorithms and features; and

(C) assessing the Department’s ability to transition to quantum resistant cryptography; and

and

(2) in paragraph (4), by inserting ‘‘, so as to minimize delays in or any curtailing of the cyber response or defensive actions of the Department or the Coast Guard’’ after ‘‘specific person’’; and

(3) in paragraph (5)(C), by inserting ‘‘or counterintelligence activities’’ after ‘‘investigative activities’’.

SEC. 1636. REQUIREMENTS FOR REVIEW OF AND LIMITATIONS ON THE JOINT REGIONAL SECURITY STACKS ACTIVITY.

(a) BASELINE REVIEW.—Not later than October 1, 2021, the Secretary of Defense shall conduct a baseline review of the Joint Regional Security Stacks (JRSS) to determine whether the activity—

(1) should proceed as a program of record, with modifications as specified in subsection (b), for exclusively the Non-Government Internet Protocol (NIPRNET) for such network and the Secret Internet Protocol High (SIPRNET); or

(2) should be phased out across the Department of Defense with each of the Joint Regional Security Stacks replaced through the installation of cost-effective and capable networking and cybersecurity technologies, architectures, and operational concepts within five years of the date of the enactment of this Act.

(b) PLAN TO TRANSITION TO PROGRAM OF RECORD.—If the Secretary determines under subsection (a) that the Joint Regional Security Stacks activity should proceed as a program of record, the Secretary shall develop a plan to transition such activity to a program of record, governed by a new Department of Defense acquisition program requirements and practices, including the following:
(1) Baseline operational requirements documentation.
(2) An acquisition strategy and baseline.
(3) A program office and responsible program management, including DoD oversight.
(4) Manpower and training requirements documentation; and
(5) Operational test planning.

(2) LIMITATIONS.
(1) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated by this Act may be used to field Joint Regional Security Stacks to the Secret Internet Protocol Network in fiscal year 2021.
(2) LIMITATION ON OPERATIONAL DEPLOYMENT.—The Secretary may not conduct an operational deployment of Joint Regional Security Stacks to the Secret Internet Protocol Network in fiscal year 2021.

(3) A proposal for the replacement of Joint Regional Security Stacks, if the Secretary determines under subsection (a) that it should be replaced.

SEC. 1637. INDEPENDENT ASSESSMENT OF ESTABLISHMENT OF A NATIONAL CYBER DIRECTOR.

(a) ASSESSMENT.—Not later than December 1, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the Congress an independent assessment of the feasibility and advisability of establishing a National Cyber Director.

(b) ELEMENTS.—The assessment required under subsection (a) shall include a review and development of recommendations germane to the following, including the development of proposed legislative text for the establishment of a National Cyber Director:

(1) The authorities necessary to bring capabilities and capacities together across the interagency, all levels of government, and the private sector;

(2) A definition of the roles of the National Cyber Director in planning, preparing, and responding to cyber operations in response to a major cyber attack on the United States, including intelligence operations, law enforcement actions, cyber effects operations, and direct and indirect cyber operations, and incident response operations;

(3) The authorities necessary to align resources to cyber priorities;

(4) The structure of the office of the National Cyber Director and position within government.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2021, the Secretary of Defense shall submit to the appropriate committees of Congress a report on—

(A) the findings of the independent organization with respect to the assessment carried out under subsection (a); and

(B) the recommendations developed as part of such assessment.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified format, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriative committees of Congress’’ means—

(1) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

SEC. 1638. MODERNIZATION AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.

(a) IN GENERAL.—Section 1640 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–99) is amended by—

(1) by redesigning subsections (b) and (c) as subsections (c) and (d), respectively;

(2) in subsection (a)—

(A) by striking ‘‘The Secretary of Defense’’ and inserting ‘‘Subject to subsection (b), the Commander of the United States Cyber Command’’;

(B) by striking ‘‘per service’’ and inserting ‘‘per use’’; and

(C) by striking ‘‘through 2022’’ and inserting ‘‘through 2025’’; and

(3) by inserting after subsection (a) the following:

‘‘(b) LIMITATION.—(1) Each fiscal year, the Secretary of Defense may obligate and expend under subsection (a) not more than $20,000,000.

(2) Each fiscal year, the Commander of the United States Cyber Command may obligate and expend under subsection (a) not more than $6,000,000.’’.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ has the meaning given in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1640. IMPLEMENTATION OF INFORMATION OPERATIONS MATTERS.

Of the amounts authorized to be appropriated for fiscal year 2021 by section 301 for operations and maintenance funds for the Office of the Secretary of Defense for the travel of persons as specified in the table in section 302—

(1) not more than 25 percent shall be available until the date on which the report required by subsection (h)(1) of section 1631 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as further amended by section 212 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is submitted to the Committee on Armed Services House of Representatives; and

(2) not more than 75 percent shall be available until the date on which the report required by subsection (1) of section 1631 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is submitted to the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Armed Services House of Representatives; and

(3) the Committee on Armed Services shall have no less than 75 days to review any proposal before the Secretary of Defense may obligate and expend under subsection (a) for the travel of persons as specified in the table in section 302.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ has the meaning given in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1641. REPORT ON CYBER INSTITUTES PROGRAM.

Section 1640 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2310; 10 U.S.C. 2302 note) is amended by adding at the end the following:

‘‘(h) REPORT TO CONGRESS.—Not later than September 30, 2021, the Secretary of Defense shall submit to the Congress an assessment of the effectiveness of the Cyber Institute and on opportunities to expand the Cyber Institute. The assessment shall include—

(1) a review of the effectiveness of the Cyber Institute in carrying out the purposes of this section and the recommendations in the report required by subsection (g) of this section; and

(2) a review of the ability of the Cyber Institute to accomplish its purposes through additional select institutions of higher learning that have a Reserve Officers’ Training Corps program.’’.

SEC. 1642. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS RELATING TO CYBERSECURITY.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense, in consultation with the Director of the National Institute of Standards and Technology, may award financial assistance to a Center for the purpose of providing cybersecurity services to small manufacturers.

(b) CRITERIA.—The Secretary, in consultation with the Director, shall establish and
publish on the grants.gov website, or successor website, criteria for selecting recipients for financial assistance under this section.

(c) **USAF FINANCIAL ASSISTANCE.**—Financial assistance under this section—

(1) shall be used by a Center to provide small manufacturers with cybersecurity services provided—

(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) 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) **BIPOLAR REPORTS.**—

(1) **IN GENERAL.**—Not less 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 Commerce, Science, and Technology of the House of Representatives a biennial report on financial assistance awarded under this section.

(2) **REPORT TO THE CONGRESS.**—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 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. 278a(a)).

(2) The term “small manufacturer” has the meaning given that term in section 164(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2224 note).

(3) The term “cyberexploitation” means the use of digital means to knowingly access, or conspire to access, without authorization, an individual’s personal information to be employed (or to be used) with malicious intent.

(4) The term “deep fake” means the digital insertion of a person’s likeness into or digital alteration of a person’s likeness in visual media, such as photographs and videos, without the person’s permission and with malicious intent.

**Subtitle C—Nuclear Forces**

**SEC. 1651. MODIFICATION TO RESPONSIBILITIES OF NATIONAL WEAPONS COUNCIL.**

Section 179(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively; and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) A description of any known or planned cybersecurity Maturity Model Certification framework of the Department of Defense; and

(3) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and shared costs, particularly on such programs as the Trident II D-5 weapons system and the common missile compartment for the future Dreadnought and Columbia classes of submarines;

(4) additionally, the extension of the nuclear deterrence commitments of the United Kingdom to members of the NATO alliance strengthens collective security while reducing the burden placed on United States nuclear forces to deter potential adversaries and assure allies of the United States and the United Kingdom; and

(5) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(6) it is in the national interest of the United States to support the United Kingdom with respect to the decision of the United States and the United Kingdom to extend their nuclear deterrents to members of the NATO alliance; and

(7) with respect to the decision of the United States and the United Kingdom to extend their nuclear deterrents to members of the NATO alliance.

**SEC. 1652. BIPOLAR ON CONDUCT OF NUCLEAR WEAPONS ENTERPRISE.**

Section 164(a) of the National Nuclear Security Administration and Budgets Act (42 U.S.C. 2130u(a)) is further amended to read as follows:

“(a) **ANNUAL BUDGET REPORTS.**—

(1) **ANNUAL BUDGET REPORT.**—

(i) The President; or

(ii) the Secretary of Energy; or

(iii) the Secretary of Defense; or

(iv) the Attorney General of the United States; or

(v) the Under Secretary of Energy; or

(vi) the Under Secretary of Defense; or

(vii) the Director of the Office of Management and Budget; or

(viii) the Secretary of Commerce.

(b) **ANNUAL BUDGET REPORT.**—

(1) the Secretary of Energy; or

(2) the Secretary of Defense; or

(3) the Attorney General of the United States; or

(4) any packs submitted with the budget of the President under section 1105(a) of title 31."

**SEC. 1653. MODIFICATION OF GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF ANNUAL REPORTS ON NUCLEAR WEAPONS ENTERPRISE.**

Section 492(a)(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ‘‘review each report’’ and inserting ‘‘periodically review reports submitted’’; and

(2) in paragraph (2), by striking ‘‘not later’’ and all that follows through ‘‘submitted.’’

**SEC. 1654. PROHIBITION ON REDUCTION OF THE NUCLEAR WEAPONS ENTERPRISES OF THE UNITED STATES.**

(a) **PROHIBITION.**—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2021 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) Maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

**SEC. 1655. SENSE OF THE SENATE ON NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.**

It is the sense of the Senate that—

(1) the North Atlantic Treaty Organization (NATO) continues to play an essential role in the national security of the United States and the independent nuclear deterrents of other NATO members, such as the United Kingdom, have helped underwrite peace and security;

(2) the nuclear programs of the United States and the United Kingdom have enjoyed significant collaborative benefits as a result of the cooperative relationship formalized in the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958, and entered into force August 4, 1958 (9 UST 1205), between the United States and the United Kingdom (commonly referred to as the “Mutual Defense Agreement”); and

(3) the North Atlantic Treaty Organization (NATO) continues to play an essential role in the national security of the United States and the independent nuclear deterrents of other NATO members, such as the United Kingdom, have helped underwrite peace and security;
Government of the United Kingdom to maintain its nuclear deterrent until global security conditions warrant its elimination; 
(7) as the United States must modernize its aging nuclear triad to ensure its capability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge; 
(b) bilateral cooperation on the parallel development of the W8X/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, as well as associated components and the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—
(A) preserves independent, sovereign control; 
(B) is consistent with each country’s obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (21 UST 753) (commonly referred to as the “Nuclear Non-Proliferation Treaty”); and 
(C) supports nonproliferation objectives; 
(d) continued cooperation between the nuclear programs of United States and the United Kingdom through the W8X/Mk7 program, is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace by deterring aggression.

Subtitle D—Missile Defense Programs

SEC. 1661. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPTATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2021 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $73,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) AGREEMENT.—Funds described in paragraph (1) will be provided subject to the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning the Development of the Iron Dome Defense System, Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(b) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall jointly submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement; 
(ii) an assessment detailing any risks relating to the implementation of such agreement; and 
(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component performance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID’S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2021 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $50,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) is subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and 
(B) co-production of parts, components, and all-rounds (if appropriate) in the United States by United States industry for the David’s Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of key knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David’s Sling Weapon System; and 
(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PRODUCTION.—

(1) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall—

(A) assign the Director of the Missile Defense Agency with the principal responsibility for the development and deployment of a hypersonic and ballistic tracking space sensor payload and the replacement warhead to the United States Space Force at the end of fiscal year 2022; and 

(B) submit to the congressional defense committees certification of such assignment.

(2) TRANSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees—

(A) a determination regarding whether responsibility for a hypersonic and ballistic tracking space sensor payload should be transitioned to the United States Space Force at the end of fiscal year 2022 or later; and 

(B) if the Secretary so determines, a plan for transition of primary responsibility that minimizes disruption to the program and provides for sufficient funding as described in subsection (b)(1).

(3) AUTHORIZATION.—Of the funds authorized to be appropriated by this Act for the annual budget request of the President for fiscal year 2022, the Under Secretary of Defense Comptroller and the Director for Cost Assessment and Program Evaluation shall jointly submit to the congressional defense committees a certification as to whether the hypersonic and ballistic tracking space sensor program is sufficiently funded and the future trajectory so that the funds authorized to be appropriated by this Act for the annual budget request of the President for fiscal year 2022, the Under Secretary of Defense Comptroller and the Director for Cost Assessment and Program Evaluation shall jointly submit to the congressional defense committees a certification as to whether the hypersonic and ballistic tracking space sensor program is sufficiently funded and the future trajectory so that the funds authorized to be appropriated by this Act for
fiscal year 2021 under the Operations and Maintenance, Defense-Wide, account for the Office of Secretary of Defense travel of persons assigned to the Office of the Under Secretary of Defense for Research and Engineering, not more than 50 percent of such funds may be obligated or expended until the certification required by paragraph (1) is submitted by the head of the Office of Secretary of Defense.

(c) DEPLOYMENT DEADLINE.—Section 1683(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2803(a)) is amended—

(1) by striking “(a) IN GENERAL.—” and inserting the following:

“(a) DEVELOPMENT, TESTING, AND DEPLOYMENT.—”;

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

“(2) TESTING AND DEPLOYMENT.—The Director shall begin on-orbit testing of a hypersonic and ballistic tracking space sensor no later than December 31, 2022, with full operational deployment as soon as technically feasible thereafter.

“(3) WAIVER.—The Secretary of Defense may waive the deadline for testing specified in paragraph (2) if the Secretary submits to the congressional defense committees a report containing—

“(A) the explanation why the Secretary cannot meet the deadline;

“(B) the technical risks and estimated cost of accelerating the program to attempt to meet such deadline;

“(C) an assessment of threat systems that could not be detected or tracked persistently due to waiving such deadline; and

“(D) a plan, including a timeline, for beginning the on-orbit testing.

(3) ASSESSMENT AND REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chair of the Joint Requirements Oversight Council established under section 1811 of title 10, United States Code, shall—

(I) complete an assessment on whether all efforts being made by the Missle Defense Agency, the Defense Advanced Research Projects Agency, the Air Force, and the Space Development Agency relating to space-based missile tracking capabilities for missile defense are aligned with the requirements of United States Strategic Command, United States Northern Command, United States European Command, and United States Indo-Pacific Command for missile tracking and missile warning that have been validated by the Joint Requirements Oversight Council; and

(II) submit to the congressional defense committees a report on the findings of the Chair with respect to the assessment conducted under paragraph (1).

SEC. 1663. EXTENSION OF PROHIBITION RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 1663(b) of title 10, United States Code, is amended by striking “January 1, 2021” and inserting “January 1, 2026”.

SEC. 1664. REPORT ON AND LIMITATION ON EXTENDED RANGE FUNDS FOR LAYERED HOMELAND MISSILE DEFENSE SYSTEM.

(a) REQUIREMENT.—Not later than March 1, 2021, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the proposal for a layered homeland missile defense system included in the budget justification materials submitted to Congress in support of the budget for the Department of Defense for fiscal year 2022 and the report required with the budget of the President for such year under section 1105(a) of title 31, United States Code.

(b) ELEMENTS REQUIRED.—The report required by paragraph (1) shall include the following:

(1) a description of the approved requirements for a layered homeland missile defense system, based on an assessment by the intelligence community of threats to be addressed at the time of deployment of such a system;

(2) an assessment of how such requirements addressed by a layered homeland missile defense system relate to those addressed by the existing ground-based midcourse defense system, including deployed ground-based interceptors and planned upgrades to such ground-based midcourse defense system;

(3) an analysis of interceptor solutions to meet such requirements, to include land-based Standard Missile 3 (SM–3) Block IIA interceptor systems and the Terminal High Altitude Area Defense (THAAD) system, with the number of locations required for deployment and the production numbers of interceptors and related sensors;

(4) a site-specific fielding plan that includes possible locations, the number and type of interceptors and radars in each location, and any associated environmental or permitting considerations, including an assessment of the locations evaluated pursuant to section 257(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–239) for inclusion in the layered homeland missile defense system;

(5) relevant policy considerations for deployment of such missile defense against intercontinental ballistic missiles in the continental United States;

(6) a cost estimate and schedule for options involving a land-based Standard Missile 3 Block IIA interceptor system and the Terminal High Altitude Area Defense system, including required environmental assessments;

(7) a feasibility assessment of the necessary modifications to the Terminal High Altitude Area Defense system to address such requirements;

(8) an assessment of the industrial base capacity to support additional production of either a land-based Standard Missile 3 Block IIA interceptor system or the Terminal High Altitude Area Defense system.

(3) CONSULTATION.—In preparing the report required by paragraph (2), the Director shall consult with the following:

(A) the Under Secretary of Defense for Policy; and

(B) the Under Secretary of Defense for Acquisition and Sustainment.

(C) the Chair of the Joint Chiefs of Staff, in Vice Chairman’s capacity as the Chair of the Joint Requirements Oversight Council.

(D) the Commander, United States Strategic Command.

(E) the Commander, United States Northern Command.

(b) LIMITATION ON USE OF FUNDS.—Not more than 50 percent of such funds authorized to be appropriated by this Act for fiscal year 2021 for the Missile Defense Agency for purposes of—

(I) improving the capability of the land-based midcourse defense system may be obligated or expended until the Director submits to the congressional defense committees the report required by subsection (a); and

(II) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the same meaning as in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1665. EXTENSION OF REQUIREMENT FOR DETAILED REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—

(1) in paragraph (1), by striking “through 2020” and inserting “through 2025”;

(2) in paragraph (2)—

(A) by striking “through 2021” and inserting “through 2025”;

(B) by striking “year. Each” and all that follows through “appropriate.” and inserting the following: “year. Each” and all that follows through “appropriate.”;

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

“(c) REVIEW OF EMERGING ISSUES.—In carrying out this subsection, as the Comptroller General determines is warranted, the Comptroller General shall review emerging issues and requirements for missile defense, brief such committees, submit to such committees a report on the findings of the Comptroller General with respect to such review.”

SEC. 1666. REPEAL OF REQUIREMENT FOR REPORTING STRUCTURE OF MISSILE DEFENSE AGENCY.

Section 205 of title 10, United States Code, is amended to read as follows:

“205. Missile Defense Agency

“The Director of the Missile Defense Agency shall be appointed for a six-year term.”

SEC. 1667. GROUND-BASED INTERCEPTOR DEFENSE INTERIM CAPABILITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear and ballistic missile threats from rogue nations are increasing; and

(2) the Department of Defense should fully assess the development of an interim ground-based missile defense capability while also pursuing the development of a next generation interceptor capability.

(b) INTERIM GROUND-BASED INTERCEPTOR.—

(1) DEVELOPMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of the United States Northern Command, and the Commander of the United States Strategic Command, shall commence carrying out a program to develop an interim ground-based interceptor capability that will—

(A) use sound acquisition practices;

(B) address the majority of current and near- to mid-term projected ballistic missile threats to the United States homeland from rogue nations;

(C) at minimum, meet the proposed capabilities of the Redesigned Kill Vehicle program; and

(D) leverage existing kill vehicle and booster technology; and

(E) appropriately balance interceptor performance with schedule of delivery.

(2) DEPLOYMENT.—The Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of the United States Northern Command, and the Commander of the United States Strategic Command, shall—

(A) conduct rigorous flight testing of the interim ground-based interceptor; and

(B) deliver 20 new ground-based interceptors by 2026.

(c) WAIVER.—(A) The Secretary of Defense may waive the requirements under paragraphs (1) and (2) if the Secretary determines, in consultation with the congressional defense committees, that—

(i) the technology development is not technically feasible;

(ii) the interim capability development is not in the national security interest of the United States; or
(iii) the next generation interceptor for the ground-based midcourse defense system can deliver capability before the program otherwise required by this subsection.

(b) If the Secretary chooses to waive the requirements under paragraphs (i) and (2), the Secretary shall submit to the congressional defense committees along with the certification required by subparagraph (A) of this paragraph—

(i) an explanation of the rationale for the decision;

(ii) an estimate of projected rogue nation threats to the United States homeland that will not be defended against until the fielding of the next generation interceptor for the ground-based midcourse defense system; and

(iii) an updated schedule for development and deployment of the next generation interceptors.

(C) The Secretary may not delegate the certification described in subparagraphs (A) and (B) unless the Secretary is recused, in which case the Secretary may delegate such certification to the Deputy Secretary of Defense.

(c) CAPABILITIES AND CRITERIA.—The Director shall ensure that the interim ground-based midcourse defense system—

(1) is designed to counter advanced counter measures, decoys, and penetration aids.

(2) Vehicle-to-ground communications.

(3) Kill assessment capacity.

(4) The ability to counter extended range, extended range, ground-launched cruise missiles.

(5) Productivity and manufacturability.

(6) Use of technology involving high technological readiness levels.

(7) Options to integrate the next kill vehicle onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(8) Sound acquisition processes.

(d) REPORT ON FUNDING PROFILE.—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the funding profile necessary for the interim ground-based interceptor program to meet the objectives under subsection (c).

TITLE XVII—HONG KONG AUTONOMY ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the “Hong Kong Autonomy Act”.

SEC. 1702. DEFINITIONS.

In this title:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms “alien”, “national”, and “national of the United States” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term “appropriate congressional committees and leadership” means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate and House of Representatives,

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term “Basic Law” means the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China.

(4) CHINA.—The term “China” means the People’s Republic of China.

(b) ESSENTIAL ENTITY.—The term “essential entity” means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(c) FINANCIAL INSTITUTION.—The term “financial institution” means an institution specified in section 5312(a)(2) of title 31, United States Code.

(d) HONG KONG.—The term “Hong Kong” means the Hong Kong Special Administrative Region of the People’s Republic of China.


(f) KNOWINGLY.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(g) PERSON.—The term “person” means an individual or entity.

(h) UNITED STATES PERSON.—The term “United States person” means—

(A) any citizen of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States, or any unincorporated entity operated by one or more United States persons; or

(D) any person located in the United States.

SEC. 1703. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originating from the Joint Declaration, were passed into the domestic law of China.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, “the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People’s Government”.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, reinterpreted, and extrapolated on in several provisions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that the "current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.”

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the “high degree of autonomy” of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the “current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.”

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligations described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People’s Congress overruled a decision by the Hong Kong Court of Final Appeal on one right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, is suspected to have not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite strong interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council elections;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, affirmed that both the Liaison Office of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council “have the right to exercise supervisory power” on matters regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law.

(10) The National People’s Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 12, 2020, expressing the “comprehensive jurisdiction” of the Government of China over Hong Kong and indicated that Hong Kong must be governed by “patriots”.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnapping of, residents of Hong Kong, including businessman Xiao Jianhua and book-seller Gui Minhai.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People’s Congress said “whether Hong Kong’s laws are consistent with the Basic Law can only be judged and decided by the National People’s Congress Standing Committee. No other authority has the right to make judgments and decisions.”.

(10) Paragraph 3c of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the “current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.”

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligations described in paragraph (10) of this section, including the following:
(A) In 2002, the Government of China pressured the Government of Hong Kong to introduce ‘‘patriotic’’ curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which led to the cancellation of speeches.

(C) The Government of Hong Kong mandated that Mandarin, and not the native language of Cantonese, be the language of instruction in schools.

(D) The governments of China and Hong Kong agreed to a daily quota of mainland immigration control. The quota was enforced by Articles 26, 27, 28, 29, 30, 31, 32, 33, 34, and 39 of the Basic Law, that the ‘‘rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law’’ in Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligations under the Joint Declaration, as set forth in this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute cases accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force profiled demonstrators and activists and for their role in organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and a retreat to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to ‘‘mainlandise’’ Hong Kong.

(12) Paragraph 3e of the Joint Declaration states that the election of the Chief Executive of Hong Kong should be by ‘‘universal suffrage’’.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligations under the Joint Declaration, including the following:

(A) In 2004, the National People’s Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(B) In 2007, the Hong Kong Government blocked the candidacy of pro-democracy candidates.

(C) In 2010, the Hong Kong Government banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(D) On November 7, 2016, the National People’s Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 members of the Legislative Council.

(E) The Government of Hong Kong has undertaken actions that have contravened the letter or intent of the obligations under the Joint Declaration, including the following:

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701 note), which remain consistent with China’s obligations under the Joint Declaration and certain provisions of the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), ‘‘The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong’s confidence and prosperity, Hong Kong’s role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong;’’ and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), ‘‘Support for democratization is a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997;’’ and

(2) although the United States recognizes that, under the Joint Declaration, the Government of China ‘‘resumed the exercise of sovereignty over Hong Kong on 1 July 1997’’, the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5702). If the United States-Hong Kong Policy Act of 2019 and advances the desire of the people of Hong Kong to continue the ‘‘one country, two systems’’ regime, in addition to any action undertaken by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should establish a clear and unambiguous policy with appropriate foreign policy instruments that are consistent with the Basic Law and the financial institutions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposition of certain economic penalties on entities, so as to permit a clear path for the recognition that if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish an appropriate, with respect to foreign persons involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law; and

(6) in addition to the penalties on foreign persons and financial institutions transacting with those foreign persons, for the contravention of the obligations of China under the Joint Declaration and the Basic Law, the United States should take steps, in consultation with the Secretary of State, for residents of Hong Kong who are persecuted or fear persecution as a result of the contravention by China of its obligations under the Joint Declaration and the Basic Law, to become eligible to obtain lawful entry into the United States.

SEC. 1705. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION AND THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT TRANSACTIONS WITH THOSE PERSONS.

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary, for reasons that include the determination by the Secretary of the Treasury, determines that a foreign person is materially contributing to, has materially contributed to, or is attempting to contribute to, the failure of the Government of China to meet its obligations under the Joint Declaration and the Basic Law, the United States shall submit to the appropriate congressional committees and leadership the report that includes—

(1) an identification of the foreign person;

(2) a clear explanation for why the foreign person was identified and a description of the action that resulted in the identification.

(B) IDENTIFYING FOREIGN FINANCIAL INSTITUTIONS.—Not earlier than 30 days and not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees and leadership the report that identifies any foreign financial institution that has engaged in activity that resulted in a significant transaction with a foreign person identified in the report under subsection (a).

(C) REPORT TO THE TREASURY.—The Secretary of the Treasury shall not disclose the identity of a person in a report submitted under subsection (a) or (b), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected—

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney...
General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and lead agencies of the determination and the reasons for the determination.

(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (b)(1), if the President makes a determination under paragraph (3)(A) that a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in subsection (b) with respect to a foreign financial institution may be expanded on in a classified annex.

(c) DESIGNATION OF PRIMARY AND SECONDARY TARGETS.—In the case of a foreign person who is a foreign financial institution, the President may, pursuant to such regulations as the President may prescribe, prohibit any foreign financial institution from a transaction with the foreign financial institution.

(d) SANCTIONS DESCRIBED.—The sanctions described in subsection (b) with respect to a foreign financial institution may be expanded on in a classified annex.

(e) DESIGNATION OF PRIMARY AND SECONDARY TARGETS.—In the case of a foreign person who is a foreign financial institution, the President may, pursuant to such regulations as the President may prescribe, prohibit any foreign financial institution from a transaction with the foreign financial institution.

(f) SANCTIONS DESCRIBED.—The sanctions described in subsection (b) with respect to a foreign financial institution may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the person:

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Not later than one year after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in subsection (b) with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System, the Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution or any primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as a depository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(6) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System, the Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution or any primary dealer in United States Government debt instruments.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of the Treasury, and the Secretary of Homeland Security, to exclude from the United States, the foreign person, or any United States person or United States entity which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President may impose sanctions described in subsection (b) with respect to the foreign person.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 20, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer of the foreign financial institution, or on individuals performing similar functions and with
similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(c) Timing of Sanctions.—The President may waive the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) Termination of Sanctions and Removal from Report.—Unless a disapproval resolution is enacted under subsection (d), the President may terminate the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution if the President—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration of 1997; and

(2) are not likely to be repeated in the future;

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(3) Treatment of Act.—

(A) Report.—(1) Required.—Not later than July 1, 2016, the President, in consultation with the Secretary of State, in consultation with the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this title and sanctions imposed pursuant to this title.

(B) Elements.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this title and the sanctions imposed pursuant to this title should be terminated.

(4) Resolution.—This title and the sanctions imposed pursuant to this title shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2017.

(1) Resolutions.—(A) Disapproval Resolution.—In this section, the term “disapproval resolution” means a joint resolution of either House of Congress of the above title, and the sanctions imposed pursuant to this title shall be terminated.

(B) Procedure.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(C) Report.—If a covered resolution has been referred to a committee, that committee shall be limited to 10 debatable motions and appeals in connection with the resolution, shall be limited to 10 days the resolution, and shall be considered as if no resolution had been received from the House of Representatives.

(2) Reconsideration.—If the House of Representatives shall have adopted a resolution containing a joint resolution of the same title as the House of Representatives, that resolution shall not be in order after the House has already passed a resolution resolving the same question.

(3) Disapproval of the Resolution.—If, before the passage by the Senate of any veto message, the Senate receives an identical resolution from the House of Representatives, the following provisions shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(4) Resolutions Requiring Reconsideration.—If, after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations has reported a resolution containing a joint resolution of the same title as the House of Representatives, that resolution shall not be in order after the House has already passed a resolution containing a joint resolution of the same title as the House of Representatives.

(5) Treatment of Senate Resolution in House.—In the event that the Senate introduces a resolution identical to a resolution that has been introduced in the House, the following procedures shall apply:

(I) The resolution shall be treated as if it were a resolution introduced in the House, and shall be considered as if no resolution had been received from the House of Representatives.

(II) Reconsideration.—If the House of Representatives shall have adopted a resolution containing a joint resolution of the same title as the House of Representatives, that resolution shall not be in order after the House has already passed a resolution containing a joint resolution of the same title as the House of Representatives.
shall be placed on the appropriate Senate calendar.

(iii) No Senate Companion.—If a covered resolution is received from the House of Representatives, a Senate companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress:

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules so far as relating to the procedure of that House at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1709. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this title.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1706 or 1707 or any regulation, license, or order issued to carry out this title shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1710. RULE OF CONSTRUCTION.

Nothing in this title shall be construed as an authorization of military force against China.

SEC. 1711. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this title shall not include the authority or requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ‘‘good’’ means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ‘‘Military Construction Authorization Act for Fiscal Year 2021’’.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX shall not include the authority or requirement to impose sanctions under this title.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of:

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installation outside the United States, and in the amount, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>$114,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Yuma Proving Ground</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Military Ocean Terminal Concord</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gillem</td>
<td>$71,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Gordon</td>
<td>$80,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Aliamanu Military Reserve</td>
<td>$71,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Wheeler Army Airfield</td>
<td>$98,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>McAlester AAP</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Humphreys Engineer Center</td>
<td>$51,000,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Casmera Renato Dal Din</td>
<td>$10,200,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Vicenza</td>
<td>Family Housing New Construction</td>
<td>$84,100,000</td>
</tr>
</tbody>
</table>
(b) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,300,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2017 PROJECT AT CAMP WALKER, KOREA.

In the case of the authorization contained in the table in section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-92; 129 Stat. 1146) for Camp Walker, Korea, the Secretary of the Army may construct an elevated walkway between two existing parking garages to connect children’s playgrounds using amounts available for Family Housing New Construction, as specified in the funding table in section 4601 of such Act (129 Stat. 1290).

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$115,530,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$187,220,000</td>
</tr>
<tr>
<td></td>
<td>Point Mugu</td>
<td>$30,700,000</td>
</tr>
<tr>
<td></td>
<td>Port Hueneme</td>
<td>$45,500,000</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td>$128,500,000</td>
</tr>
<tr>
<td></td>
<td>Seal Beach</td>
<td>$46,800,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>$75,600,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$114,900,000</td>
</tr>
<tr>
<td></td>
<td>Kittery</td>
<td>$75,000,000</td>
</tr>
<tr>
<td></td>
<td>NCTAMS LANT Detachment Cutler</td>
<td>$36,100,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point</td>
<td>$23,040,000</td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td>$51,900,000</td>
</tr>
<tr>
<td></td>
<td>Virginia</td>
<td>$39,800,000</td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>SW Asia</td>
<td>$68,340,000</td>
</tr>
<tr>
<td>El Salvador</td>
<td>Comalapa</td>
<td>$29,040,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Souza Bay</td>
<td>$51,900,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$21,280,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Joint Region Marianas</td>
<td>$46,550,000</td>
</tr>
<tr>
<td></td>
<td>Rota</td>
<td>$68,110,000</td>
</tr>
</tbody>
</table>

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $37,043,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the 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:
### SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,969,000.

### SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $94,245,000.

### SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2883 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

### SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT ROYAL AIR FORCE LAKENHEATH.

(a) IN GENERAL.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1826) for Royal Air Force Lakenheath, United Kingdom, the Secretary of the Air Force may construct a 2,700 square meter consolidated corrosion control and wash rack facility at such location.

(b) INCREASE OF AMOUNT.—The table in section 4601 of such Act is amended by inserting "$50,000,000" in the appropriation amount for the project at Royal Air Force Lakenheath, United Kingdom.

### SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) EIELSON AIR FORCE BASE, ALASKA.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–222; 132 Stat. 2246) for Eielson Air Force Base, Alaska, the Secretary of the Air Force may construct a 1,400 square meter non-contained outdoor range with covered and heated firing line for construction of an F–35 CATM Range, as specified in the funding table in section 4601 of such Act (132 Stat. 2349).

(b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

(1) IN GENERAL.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–222; 132 Stat. 2246) for Barksdale Air Force Base, Louisiana, the Secretary of the Air Force may construct an entrance road and gate complex consistent with the Unified Facilities Criteria relating to entry control facilities and the construction guidelines for the Air Force, in the amount of $48,000,000.

(2) DETAILS OF CONSTRUCTION.—In constructing the entrance road and gate complex under paragraph (1), the Secretary of the Air Force may construct a 190 square meter visitor control center, a 44 square meter gate house, a 124 square meter privately owned vehicle inspection facility, a 33 square meter truck inspection facility, and a 45 square meter gatehouse.

(c) ROYAL AIR FORCE LAKENHEATH, UNITED KINGDOM.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–222; 132 Stat. 2246) for Royal Air Force Lakenheath, United Kingdom, the Secretary of the Air Force may construct a 1,306 square meter maintenance facility for construction of an F–35A ADSL Conventional Munitions MX, as specified in the funding table in section 4601 of such Act (132 Stat. 2400).

(d) FORCE PROTECTION AND SAFETY.—The table in section 4601 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–222; 132 Stat. 2406) is amended in the item relating to Force Protection and Safety, Air Force, Unspecified Worldwide Locations, by striking "35,000" and inserting "50,000".

### SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 FAMILY HOUSING PROJECTS.

(a) CONSTRUCTION AND ACQUISITION.—

(1) by striking "Using amounts" and inserting "(a) PLANNING AND DESIGN.—Using amounts"; and

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

(2) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may construct or acquire family housing units (including land, acquisition, and supporting facilities) at the installation, in the number of units, and in the amounts set forth in the following table:

### SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS.

(a) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2020 (Public Law 116–92) for Tyndall Air Force Base, Florida, the Secretary of the Air Force may construct—
(1) not more than 4,770 square meters of aircraft support equipment storage for construction of an Auxiliary Ground Equipment Facility, as specified in the funding table in section 4601 of such Act;
(2) not more than 18,770 square meters of visiting quarters for construction of Dorm Complex Phase 1, as specified in such funding table;
(3) 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for construction of Ops/Aircraft Maintenance Unit/Hangar #2, as specified in such funding table;
(4) 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for construction of Ops/Aircraft Maintenance Unit/Hangar #3, as specified in such funding table;
(5) not more than 3,420 square meters of headquarters for construction of an Operations Group/Maintenance Group HQ, as specified in such funding table;
(6) not more than 990 square meters of equipment storage for construction of a Security Forces Mobility Storage Facility, as specified in such funding table;
(7) not more than 7,000 meters of storm water piping, box culverts, underground detention, and grading for surface detention for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table; and
(8) not more than 12,471 square meters of visiting quarters for construction of Lodging Facilities Phase 1, as specified in such funding table.

(b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the case of the authorization contained in the table in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Offutt Air Force Base, Nebraska, the Secretary of the Air Force may construct—
(1) seven 2.5-megawatt diesel engine generators, seven diesel exhaust fluid systems, 15-kilovolt switchgear, two import/export inter-ties, five import-only inter-ties, and 400 square meters of switchgear facility for construction of an Emergency Power Microgrid, as specified in the funding table in section 4603 of such Act;
(2) 2,536 square meters of warehouse for construction of a Logistics Readiness Squadron Campus, as specified in such funding table;
(3) 4,218 square meters of operations center and 1,343 square meters of military working dog kennel for construction of a Security Campus, as specified in such funding table;
(4) 445 square meters of petroleum operations center, 268 square meters of de-icing liquid storage, and 173 square meters of warehouse for construction of a Flightline Hangars Campus, as specified in such funding table; and
(5) 240 square meters of recreation complex and 270 square meters of storage for construction of a Lake Campus, as specified in such funding table.

(c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the case of the authorization contained in the table in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Joint Base Langley-Eustis, Virginia, the Secretary of the Air Force may construct up to 6,720 square meters of dormitory for construction of a Dormitory, as specified in the funding table in section 4603 of such Act.

### Defense Agencies: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Anniston Army Depot</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Fort Greely</td>
<td>$48,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$33,728,000</td>
</tr>
<tr>
<td>California</td>
<td>Beale Air Force Base</td>
<td>$49,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$15,600,000</td>
</tr>
<tr>
<td>CONUS Unspecified</td>
<td>CONUS Unspecified</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Hurlburt Field</td>
<td>$83,120,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Knox</td>
<td>$69,310,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Kirtland Air Force Base</td>
<td>$46,600,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$133,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Hood</td>
<td>$32,700,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base Little Creek-Fort Story</td>
<td>$112,500,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$21,800,000</td>
</tr>
</tbody>
</table>

### Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Def Fuel Support Point Tsurumi</td>
<td>$49,500,000</td>
</tr>
</tbody>
</table>

### SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT 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 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 installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Smith Air National Guard Base</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Joint Base Anacostia-Bolling</td>
<td>$30,933,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>MTA Camp Shelby</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Memphis International Airport</td>
<td>$4,780,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Def Fuel Support Point Tsurumi</td>
<td>$49,500,000</td>
</tr>
</tbody>
</table>

Thereafter, 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Smith Air National Guard Base</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Joint Base Anacostia-Bolling</td>
<td>$30,933,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>MTA Camp Shelby</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Memphis International Airport</td>
<td>$4,780,000</td>
</tr>
</tbody>
</table>
SEC. 2401. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for each fiscal year beginning after September 30, 2020, for 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 2806 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2502 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 each fiscal year 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 2502 as specified in the funding table in section 4601.

(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESSOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may recognize the NATO project authorization amounts as budgetary resources to inure obligations for the purposes of the NSIP project under subsection (a), including necessary personnel costs of the construction agent designated by the Department of Defense, contract claims, and any conjunctive funding requirements that exceed the project authorization or standards of the North Atlantic Treaty Organization, the Secretary of Defense, upon determination that completion of the project is in the national interest of the United States, may fund such costs using any funds available in appropriations for the Program.

"(c) AUTHORIZED EXPENDITURES DEFINED.—In this section, the term ‘authorized expenditures’ means project expenses for which the North Atlantic Treaty Organization has agreed to contribute funding.”;

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 136 of such title is amended by striking the item relating to section 2350m and inserting the following new item:

"2350m. Execution of projects under the North Atlantic Treaty Organization Security Investment Program

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for military construction 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 16, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspecified Worldwide</td>
<td>Unspecified Worldwide Locations</td>
<td>$142,500,000</td>
</tr>
</tbody>
</table>

SEC. 2503. EXECUTION OF PROJECTS UNDER THE NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM.

(a) In General.—Subchapter II of chapter 136 of title 10, United States Code, is amended by striking section 2350m and inserting the following new section 2350m:

"2350m. Execution of projects under the North Atlantic Treaty Organization Security Investment Program

"(a) AUTHORIZATION TO EXECUTE PROJECTS.—When the United States is designated as the Host Nation for purposes of executing a project under the North Atlantic Treaty Organization Security Investment Program (in this section referred to as the ‘Program’), the Secretary of Defense may accept such designation and carry out such project consistent with the requirements of this section.

"(b) PROJECT FUNDING.—The Secretary of Defense may fund authorized expenditures of projects accepted under subsection (a) with—

"(1) contributions under subsection (c);

"(2) appropriations of the Department of Defense for the Program when directed by the North Atlantic Treaty Organization to apply amounts of such appropriations as part of the share of contributions of the United States for the Program; or

"(3) any combination of amounts described in paragraphs (1) and (2).

"(c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—(1) The Secretary of Defense may accept contributions from the North Atlantic Treaty Organization and other nations of the North Atlantic Treaty Organization for the purpose of carrying out a project under subsection (a).

"(2) Contributions accepted under paragraph (1) shall be placed in an account established for the purpose of carrying out the project for which the funds were provided and shall remain available until expended.

"(3)(A) Contributions are made under paragraph (1) as reimbursement for a project or portion of a project previously carried out by the Department of Defense, such contributions shall be credited to—

"(i) the appropriations used for the project or portion thereof, if such appropriations have not yet expired; or

"(ii) the appropriations for the Program, if the appropriations described in clause (i) have expired.

"(B) Funding credited under subparagraph (A) shall remain available for the same purposes and duration as the appropriations which funded the project.

"(d) OBLIGATION AUTHORITY.—The construction agent of the Department of Defense designated by the Secretary of Defense to execute a project under subsection (a) may recognize the North Atlantic Treaty Organization project authorization amounts as budgetary resources to inure obligations against for the purposes of executing the project.

"(e) INSUFFICIENT CONTRIBUTIONS.—In the event that the North Atlantic Treaty Organization does not agree to contribute funding for all costs necessary for the Department of Defense to carry out a project under subsection (a), including necessary personnel costs of the construction agent designated by the Department of Defense, contract claims, and any conjunctive funding requirements that exceed the project authorization or standards of the North Atlantic Treaty Organization, the Secretary of Defense, upon determination that completion of the project is in the interest of the United States, may fund such costs using any funds available in appropriations for the Program.

"(f) PROCEDURES FOR ALLOCATING FUNDING.—In executing the Program, the Secretary of Defense shall follow the procedures specified in the Program, and the Department of Defense shall follow the procedures related to section 2350m and inserting the following new item:

"2350m. Execution of projects under the North Atlantic Treaty Organization Security Investment Program

(c) CONFORMING REPEALS.—


"(A) in subsection (a)—

"(i) by striking ‘‘(a) AUTHORIZATION.— Funds’’ and inserting ‘‘Funds’’; and

"(ii) by striking the second sentence; and

"(B) by striking subsection (b).

(2) 2020.—Section 2502 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended—

"(A) in subsection (a), by striking ‘‘(a) AUTHORIZATION.— Funds’’ and inserting ‘‘Funds’’; and

"(B) by striking subsection (b).

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Camp Carroll</td>
<td>Site Development</td>
<td>$49,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Attack Reconnaissance Battalion Hangar</td>
<td>$99,000,000</td>
</tr>
<tr>
<td>Navy</td>
<td>Camp Humphreys</td>
<td>Hot Refuel Point</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Camp Humphreys</td>
<td>Busan Maritime Operations Center</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Camp Humphreys</td>
<td>Daegu Air Base AGE Facility and Parking Apron</td>
<td>$14,000,000</td>
</tr>
</tbody>
</table>
SEC. 2512. QATAR FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the State of Qatar for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installation in the State of Qatar, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (A12)</td>
<td>$63,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (B12)</td>
<td>$63,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (D10)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (009)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (007)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Armory/Mount</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (A06)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Dining Facility</td>
<td>$14,600,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (B04)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (A04)</td>
<td>$77,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Dining Facility</td>
<td>$14,600,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>MSG (Base Operations Support Facility)</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>ITN (Communications Facility)</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Armory/Mount</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Al Udeid</td>
<td>Billet (D10)</td>
<td>$77,000,000</td>
</tr>
</tbody>
</table>

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Tucson</td>
<td>$18,100,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Chaffee</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Bakersfield</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Shelbyville</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Frankfort</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Brandon</td>
<td>$10,400,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>North Platte</td>
<td>$8,300,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Joint Base McGuire-Dix-Lakehurst</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Columbus</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Ardmore</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Hermiston</td>
<td>$25,050,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Allen</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Joint Base Charleston</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>McMinnville</td>
<td>$11,200,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Worth</td>
<td>$13,800,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Nephi</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Virgin Islands</td>
<td>St. Croix</td>
<td>$39,400,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Appleton</td>
<td>$11,600,000</td>
</tr>
</tbody>
</table>

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Gainesville</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Devens Reserve Forces Training Area</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Asheville</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$17,100,000</td>
</tr>
</tbody>
</table>
SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maryland</td>
<td>Reisterstown</td>
<td>$39,500,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Naval Operational Support Center Minneapolis</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$25,010,000</td>
</tr>
</tbody>
</table>

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Montgomery Regional Airport</td>
<td>$25,600,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Base Guam</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Andrews</td>
<td>$9,400,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Hector International Airport</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$16,800,000</td>
</tr>
</tbody>
</table>

SEC. 2605. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation inside the United States, and in the amount, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>Joint Reserve Base Fort Worth</td>
<td>$39,200,000</td>
</tr>
</tbody>
</table>

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 118 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2020 PROJECT IN ALABAMA.

In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Anniston Army Depot, Alabama, for construction of an Enlisted Transient Barracks as specified in the funding table in section 4601 of such Act, the Secretary of the Army may construct a training barracks at Fort McClellan, Alabama.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Pub. L. 101–510; 10 U.S.C. 2607 note) and funded through the Department of Defense Base Closure Account established by section 2005 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Pub. L. 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. CONSTRUCTION OF GROUND-BASED STRATEGIC DETERRENT LAUNCH FACILITIES AND LAUNCH CENTERS FOR AIR FORCE.

(a) AUTHORIZATION OF CONSTRUCTION PROJECTS.—

(1) RESPONSIBILITY OF AIR FORCE.—The Secretary of the Air Force may acquire real property and carry out military construction projects for the installation inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>Joint Reserve Base Fort Worth</td>
<td>$39,200,000</td>
</tr>
</tbody>
</table>

SEC. 2703. PLAN TO FINISH REMEDIATION ACTIVITIES CONDUCTED BY THE SECRETARY OF THE ARMY IN UMATILLA, OREGON.

Nothing in this section shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a plan to finish remediation activities conducted by the Secretary in Umatilla, Oregon, by not later than three years after such date of enactment.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. RESPONSIBILITY OF NAVY FOR MILITARY CONSTRUCTION REQUIREMENTS FOR CERTAIN FLEET READINESS CENTERS.

In the case in which a Fleet Readiness Center is a tenant command aboard an installation of the Marine Corps, the Navy shall be responsible for programming, requesting, and executing any military construction requirements for the Fleet Readiness Center.

SEC. 2802. CONSTRUCTION OF GROUND-BASED STRATEGIC DETERRENT LAUNCH FACILITIES AND LAUNCH CENTERS FOR AIR FORCE.

(a) AUTHORIZATION OF CONSTRUCTION PROJECTS.—

(1) REPORT.—When a decision is made to carry out a project under subsection (a) and before carrying out such project, the Secretary of the Air Force shall submit to the congressional defense committees a report on that decision.

(2) ELEMENTS.—Subject to paragraph (3), the report submitted under paragraph (1) with respect to a project under subsection (a) shall include a justification for carrying out the project and a complete Department of Defense Form 1391 for the project.

(3) SIMULTANEOUS SUBMISSION.—The Secretary of the Air Force may group multiple locations at which a project is to be carried out under...
subsection (a) into a single submission on a Department of Defense Form 1391 to allow all included locations to be considered as a single project.

(c) Definitions.—In fiscal year 2021, the Secretary of the Air Force may expend amounts available to the Secretary for research, development, test, and evaluation for the purposes of planning and design to support the projects described in subsection (a).

(d) Existing Authorities.—The Secretary of the Air Force shall use existing authorities, as applicable, to carry out this section, including sections 2304 and 2833 of title 10, United States Code.

Subtitle B—Military Family Housing

SEC. 2821. PROHIBITION ON SUBSTANTIAL FAMILY HOUSING UNITS.

(a) In General.—Subchapter II of chapter 169 of title 10, United States Code, is amended by striking section 2830 and inserting the following new text:

"§ 2830. Prohibition on substantial family housing units

"The Secretary concerned may not lease a substantial family housing unit to a member of a uniformed service for occupancy by such member."

(b) Clerical Amendment.—The table of sections at the beginning of subchapter II of such chapter is amended by striking the item relating to section 2830 and inserting the following new item:

"2830. Prohibition on substantial family housing units.

"This section is amended by striking "monthly" before "payments".

SEC. 2822. TECHNICAL CORRECTIONS TO PRIVATIZED MILITARY HOUSING PROGRAM.

(a) Chief Housing Officer.—Section 2860a of title 10, United States Code—

(1) is amended—

(A) in subsection (a)(1), by striking "housing units" and inserting "all military housing"; and

(B) in subsection (b)(1), in the matter preceding subparagraph (A), by striking "under subchapter IV and this subchapter" and inserting "by the Department of Defense under this subchapter";

(2) is transferred so as to appear at the end of subchapter III of chapter 169 of such title; and

(3) is redesignated as section 2870a.

(b) Privatized Housing Reform.—Subchapter V of chapter 169 of such title is amended—

(1) in section 2890—

(A) in subsection (b)(15), by striking "and held in escrow";

(B) in subsection (e)(2), in the matter preceding subparagraph (A), by inserting "a" before "landlord"; and

(C) in subsection (f)(2)—

(i) by striking "executed as" and inserting "executed—"

"(A) as";

(ii) in subparagraph (A), as designated by clause (i), by striking the period at the end and inserting "and";

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

"(B) in the event that the tenant has retained counsel or has sought military legal assistance under section 1044 of this title."

(2) in section 2891—

(A) in subsection (e)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting "unit" after "different housing unit";

(II) in subparagraph (B), by inserting "the" before "tenant"; and

(ii) in paragraph (2)(B), by inserting "the" before "tenant";

(3) in section 2891a—

(A) in subsection (b)(2), by adding a period at the end;

(B) in subsection (d)(1)—

(i) by striking "A landlord" and inserting "United States chapters and inserting "the prospective tenant to a housing unit"; and

(ii) by inserting "a" in the matter following paragraph (B) and inserting "the"; and

(B) by striking "years". In this section" and inserting "years".

(c) Maintenance Defined.—In this section—

(C) in subsection (a), as designated by subparagraph (A), by striking "a housing unit, be- fore the prospective tenant" and all that follows through the period at the end and inserting "with respect to that housing unit during such period."; and

(D) in subsection (b), as designated by subparagraph (B), by striking "such period" and inserting "the period specified in subsection (a)(1)";

(5) in section 2893, by striking "propensity" and inserting "pattern of" and (6) in section 2894—

(A) in subsection (a), by adding at the end the following new paragraph—

"(6) The dispute resolution process shall require the installation or regional commander (as the case may be) to record each dispute in the complaint database established under section 284a of this title."

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking "24 hours" and inserting "2 business days";

(ii) in paragraph (3)—

(I) by inserting "business" before "days";

and

(II) by inserting "such office" before "shall complete";

(iii) in paragraph (4), in the matter preceding subparagraph (A), by inserting "at a minimum," before "the following persons";

(iv) in paragraph (5)—

(I) by inserting "calendar" before "days";

and

(II) in subparagraph (B), by striking "30-day" period and inserting "30-calendar-day period";

(v) by striking paragraph (6) and inserting the following new paragraph:

"(6) Except as provided in paragraph (5)(B), a final decision shall be transmitted to the tenant, landlord, and the installation or regional commander (as the case may be) no later than 30 calendar days after the request was submitted."; and

(C) in subsection (e)—

(1) by striking paragraph (3); and

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

(3) in paragraph (1), in the matter preceding subparagraph (A), by striking "the" and replacing it with "a";

and

(4) in paragraph (2), by striking "the" and replacing it with "a";

SEC. 2823. REQUIREMENT THAT SECRETARY OF DEFENSE IMPLEMENT RECOMMENDATIONS RELATING TO MILITARY FAMILY HOUSING;

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement the recommendations of the Inspector General of the Department of Defense contained in the report of the Inspector General dated April 30, 2020, and entitled "Evaluation of the DoD’s Management of Housing, Health and Safety Grants in Government-Owned and Government-Controlled Military Family Housing".
Act (42 U.S.C. 8287 et seq.).''.

States does not own a utility system covered by section 2815 of title 10, United States Code, is amended—

(1) by redesigning subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

(c) Use of Certain Other Authorities.—A project under this section may be—

(1) carried out in conjunction with the authorities provided in subsections (j), and (k) of section 2688 of this title and section 2913 of this title if the Secretary finding that the training facilities of the United States does not own a utility system covered by the project;

(2) included as a separate requirement in a contract entered into pursuant to title VIII of the National Energy Conservation Policy Act (42 U.S.C. 627 et seq.).

SEC. 2842. CONSIDERATION OF ENERGY SECURITY AND ENERGY RESILIENCE IN LIFE-CYCLE COST FOR MILITARY CONSTRUCTION.

(a) In General.—(1) The Secretary shall transfer to the Secretary of the Navy pursuant to Executive Order 13055 (17 Fed. Reg. 4831; relating to delegating to the Secretary of the Interior the authority of the President with respect to the Public Land Laws of the United States for public purposes) and the public land order entitled “Public Land Order 952” (19 Fed. Reg. 2085 (April 10, 1954)), the following new subsection (c):

(c) Conditions on Conveyance.—The conveyance authorized by subsection (a) shall be—

(1) subject to the following conditions:

(A) Training the Arizona Army and Air National Guard, and

(B) Subject to certain conditions that include, but are not limited to, the conveyance being used in accordance with the purpose of the conveyance, and any other administrative costs related to the conveyance.

(2) treatment of consideration received.

(b) IN GENERAL.—If the Secretary determines at any time that the Property is not being used in accordance with the purposes of the conveyance, the Secretary may accept an offer from the State to pay for the Property, including any improvements thereon, for the same purpose.

(2) treatment of amounts received from the State.

(c) Reversionary Interest.—Notwithstanding section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885), the United States shall have the right, title, and interest in and to and become the property of the United States for public purposes that are compatible with the use of the Property, including any improvements thereon, for the purpose of the conveyance or, if the period of availability is extended by the Secretary, subject to the following conditions:

(1) The conveyance or, if the period of availability is extended, shall refund the excess amount to the State.

(2) Treatment of amounts received from the Secretary to cover costs to be incurred by the Secretary in carrying out the conveyance (other than administrative costs related to the conveyance). Amounts so credited to any account that was used to cover those costs shall be carried forward to the next conveyance or, if the period of availability is extended, any other administrative costs related to the conveyance.

(d) Alternative Consideration Option.—(1) Consideration Option.—In lieu of exercising the reversionary interest under subsection (c), the Secretary may accept an offer by the State to pay to the United States an amount equal to the fair market value of the Property, excluding the value of any improvements on the Property constructed without Federal funds after the date of the conveyance authorized by subsection (a), for environmental documentation related to the conveyance.

(2) Treatment of Consideration Received.—(a) Payment Required.—(1) Subject to certain conditions that include, but are not limited to, the conveyance being used in accordance with the purpose of the conveyance, and any other administrative costs related to the conveyance.

(2) Treatment of Consideration Received.

(b) Refund of Excess Amounts.—If amounts are collected from the State in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(c) Treatment of amounts received from the State.

(d) Alternative Consideration Option.—(1) Consideration Option.—In lieu of exercising the reversionary interest under subsection (c), the Secretary may accept an offer by the State to pay to the United States an amount equal to the fair market value of the Property, excluding the value of any improvements on the Property constructed without Federal funds after the date of the conveyance authorized by subsection (a), for environmental documentation related to the conveyance. Amounts so credited to any account that was used to cover those costs shall be carried forward to the next conveyance or, if the period of availability is extended, any other administrative costs related to the conveyance.
shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) Description of Property.—The exact acreage and legal description of the Property shall be determined by a survey satisfactory to the Secretary.

(g) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary decides appropriate to protect the interests of the United States.

(b) Environmental Obligations.—Nothing in this section shall be construed as alleviating, altering, or affecting the responsibility of the United States for cleanup and remediation of the Property in accordance with—

(1) the Defense Environmental Restoration Program under section 270(a)(1) of title 10, United States Code; and

(2) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

Subtitle E—Other Matters

SEC. 2881. MILITARY FAMILY READINESS CONSIDERATIONS IN BASING DECISIONS.

(a) Taking of Considerations Into Account Required.—In determining whether to proceed with any basing decision in the United States after the date of the enactment of this Act, the Secretary of the military department concerned shall take into account, among other such factors as the Secretaries of the military departments determine appropriate, the military family readiness considerations specified in subsection (b).

(b) Military Family Readiness Considerations.—The military family readiness considerations specified in this subsection are the following:

(1) INTERSTATE PORTABILITY OF PROFESSIONAL LICENSURE AND CERTIFICATION CREDENTIALS.—The extent to which the State in which the installation subject to the basing decision is or will be located accepts as valid professional licensure and certification credentials obtained in other States, including professional licensure and certification credentials obtained in professional fields (and any subfield of such fields):

(A) Accounting.

(B) Biomedicine.

(C) Emergency medical service.

(D) Engineering.

(E) Law.

(F) Nursing.

(G) Physical therapy.

(H) Psychology.

(I) Teaching.

(J) Such other professional fields (and subfields of such fields) as the Secretary of Defense determines appropriate.

(2) MILITARY FAMILY READINESS CONSIDERATIONS.—The military family readiness considerations specified in subsection (b) are the following:

(A) Quality of education.

(B) Availability of housing.

(C) Availability of health care to dependents of members of the Armed Forces.

(D) Availability of market employment opportunities.

(E) Availability of affordable child care.

(F) Availability of social services.

(G) Availability of cultural resources.

(H) Availability of social and recreational facilities.

(I) Effectiveness of public schools.

(J) Effectiveness of higher education institutions.

(3) AVAILABILITY TO PUBLIC.—A current version of each scorecard under this subsection shall be available to the public through an Internet website of the military department concerned that is accessible to the public.

(e) Briefings.—Not later than April 1 of each of 2021, 2022, and 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on actions taken pursuant to subsection (a), to include an explanation of the rationale for taking into account the considerations specified in subsection (b) on particular basing decisions in the United States during the one-year period ending on the date of the briefing.

(f) Basing Decision Defined.—In this section, the term ‘‘basing decision’’ means any of the following:

(1) The establishment of a new mission at a military installation.

(2) The relocation of an existing mission to a military installation.

(3) The establishment of a new military installation.
“(C) The term ‘insured depository institution’ has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).”.

SEC. 2886. REPORT ON OPERATIONAL AVIATION UNITS CONSTRUCTED BY NOISE RESTRICTIONS OR NOISE MITIGATION MEASURES.

(a) REPORT.—Not later than 90 days after the date on which the Secretary of the Air Force or the Secretary of the Navy determines that noise restrictions placed on an operational aviation unit under the jurisdiction of the Secretary are no longer necessary, the Secretary concerned shall submit to the congressional defense committees a report setting forth—

1. recommendations to preserve or restore the readiness, and safety of such unit; and

2. appropriate steps to be taken by the Secretary concerned to lower the cost of noise mitigation measures.

(b) COST PROHIBITIVE.—A required noise mitigation measure shall be considered cost prohibitive to the Secretary of Defense for purposes of subsection (a) if the cost to implement the measure at an installation exceeds 10 percent of the annual budget for the installation for facilities sustainment, restoration, and modernization.

SEC. 2892. 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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$59,230,000</td>
</tr>
</tbody>
</table>

SEC. 2893. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

SEC. 2904. REPLENISHMENT OF CERTAIN MILITARY CONSTRUCTION FUNDS.

(a) In General.—Of the amount authorized to be appropriated for fiscal year 2021 by section 2903 and available as specified in the funding table in section 4602, $3,600,000,000 shall be available for replenishment of funds that were authorized to be appropriated by military construction authorization Acts for fiscal years before fiscal year 2021 for military construction projects authorized by such Acts, but were used instead for military construction projects authorized by section 2808 of title 10, United States Code, in connection with the national emergency along the southern land border of the United States declared in 2019 pursuant to the National Emergencies Act (50 U.S.C. 1601 and seq.).

(b) Replenishment by Transfer.—

1. In General.—Any amounts available under subsection (a) that are used for replenishment of funds as described in that subsection shall be transferred to the account that was the source of such funds.

2. Inapplicability Toward Transfer Limitations.—Any transfer of amounts under this subsection shall not count toward any limitation on transfer of Department of Defense funds in section 1001 or 1512 or any other limitation on transfer of Department of Defense funds in law.

3. Sunset of Authority.—The authority to make transfers under this subsection shall terminate on September 30, 2021.

(c) Use of Funds.—

1. In General.—Amounts transferred under subsection (b) for replenishment of funds as described in subsection (a) may be used only for military construction projects for which such funds were originally authorized in a military construction authorization Act described in subsection (a).

2. No Increase in Authorized Amount of Projects.—The total amount of funds available for a military construction project described in paragraph (1) may not exceed the current amount authorized for such project by applicable military construction authorization Acts as specified in subsection (a). A replenishment of funds under this section for a military construction project shall not operate to increase the authorized amount of the project or the amount authorized to be available for the project.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 21–D–511, Savannah River Plutonium Processing Facility, Savannah River Site, Aiken, South Carolina, $25,900,000.

Project 21–D–512, Plutonium Pit Production Project, Los Alamos National Laboratory, Los Alamos, New Mexico, $226,000,000.

Project 21–D–530, KL Steam and Condensate Upgrades, Knolls Atomic Power Laboratory, Schenectady, New York, $4,000,000.

General Plant Project, U1a.03 Test Bed Facility Improvements, Nevada National Security Site, Nevada, $16,000,000.

General Plant Project, TA–15 DARHT Hydro Vessel Repair Facility, Los Alamos National Laboratory, New Mexico, $16,500,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for 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 nuclear energy as specified in the funding table in section 4701.
SEC. 3117. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS BUDGET.

(a) REVIEW OF ADEQUACY OF ADMINISTRATION BUDGET.—The Secretary of Energy shall transmit to the Nuclear Weapons Council (in this section referred to as the ‘Council’) a copy of the proposed budget of the Administration for each fiscal year before that budget request is submitted to the Director of the Office of Management and Budget in relation to the preparation of the budget of the President to be submitted to Congress under section 1105(a) of title 31, United States Code.

(2) REVIEW AND CERTIFICATION.—

(A) REVIEW.—The Council shall review each fiscal year budget request transmitted to the Council under paragraph (1).

(B) CERTIFICATION.—

(i) the funding levels and initiatives identified in the description under paragraph (1); and

(ii) any additional comments the Secretary considers appropriate.

(2) TRANSMISSION TO CONGRESS.—The Secretary of Energy shall transmit to the Council under paragraph (1) a copy of the proposed budget of the Administration for each fiscal year before that budget request is submitted to the Director of the Office of Management and Budget in relation to the preparation of the budget of the President to be submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 3121. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:


(a) In General.—Subtitle C of the National Nuclear Security Administration (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

"Sec. 3117. Review of adequacy of nuclear weapons budget.

Subtitle C—Personnel Matters

SEC. 3211. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:


(a) In General.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

"Sec. 3117. Review of adequacy of nuclear weapons budget.

Subtitle C—Personnel Matters

SEC. 3211. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:


SEC. 3112. APPLICATION TO NAVAL NUCLEAR PROPULSION PROGRAM.—The Director of the Naval Nuclear Propulsion Program established pursuant to section 4101 of the Atomic Energy Act of 1954 (50 U.S.C. 2551) and section 3216 of this Act may, with the concurrence of the Secretary of the Navy, apply the alternative personnel system under subsection (a) to:

(i) all employees of the Naval Nuclear Propulsion Program in the competitive service (as defined in section 2102 of title 5, United States Code); and

(ii) all employees of the Department of Navy who are assigned to the Naval Nuclear Propulsion Program and are in the excepted service (as defined in section 2102 of title 5, United States Code) (other than such employees in statutory excepted service systems).

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of section 3248 of the National Nuclear Security Administration Act, as added by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means:

(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 3212. INCLUSION OF CERTAIN EMPLOYEES AND CONTRACTORS OF DEPARTMENT OF ENERGY IN DEFINITION OF PUBLIC SAFETY OFFICER FOR PURPOSES OF CERTAIN DEATH BENEFITS.

Section 1294(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284(b)) is amended—

(1) by striking subsections (a) and (d); and

(b) BRIEFING.—

(1) IN GENERAL.—At the time the Secretary of Energy submits the budget request of the Department of Energy for that fiscal year to the Office of Management and Budget in relation to the preparation of the budget of the President, the Secretary shall transmit a copy of the budget request of the Department to the Council.

(2) CERTIFICATION.—The Council shall—

(A) review the budget request transmitted to the Council under paragraph (1); and

(B) based on the review under subparagraph (A), make a determination with respect to whether the budget request includes the funding levels and initiatives described in subsection (a)(2)(B)(i); and

(C) submit to Congress:

(i) a certification that the budget request is adequate to implement the objectives described in subsection (a)(2)(B)(i); or

(ii) a copy of the written description submitted by the Council to the Secretary under subsection (a)(2)(B)(i), if any.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4716 the following new item:

"Sec. 4717. Review of adequacy of nuclear weapons budget."
SEC. 3124. TRANSPORTATION AND MOVING EX-
penses for Immediate Family of Deceased Nuclear Materials
Custodians.

Section 5724(d)(1) of title 5, United States Code, is amended—
(1) in subparagraph (B), by striking "and" and inserting a semicolon; and
(2) by adding at the end the following:

"(D) any nuclear materials custodian, as defined in section 8331(7); and"

SEC. 3125. EXTENSION OF AUTHORITY FOR AP-
propriating Certain Scientific, Engineering, and Techno-
logical Equipment.

Section 4601(c) of the Atomic Energy De-
fense Act (50 U.S.C. 2701(c)) is amended by striking "September 30, 2020" and inserting "September 30, 2026."

Subtitle D—Cybersecurity

SEC. 3311. REPORTING ON PENETRATIONS
OF NETWORKS OF CONTRACTORS AND
SUBCONTRACTORS.

(a) In General—Subtitle A of title XLV of
the Atomic Energy Defense Act (50 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

"SEC. 4511. REPORTING ON PENETRATIONS OF
NETWORKS OF CONTRACTORS AND
SUBCONTRACTORS.

"(a) Procedures for Reporting Penetrations. The Administrator shall establish procedures that require each contractor and subcontractor to report to the Chief Information Officer when a covered network of the contractor or subcontractor meets the criteria established pursuant to subsection (b) is successfully penetrated.

"(b) Establishment of Criteria for Covered
Networks.—

"(1) in the case of a penetration of a covered network of a management and operating contractor, enhance the access of personnel of the Administration to government-owned information and.

"(ii) provide to the Chief Information Officer the additional information required by subparagraph (B) as the information becomes available.

"(2) Access to Equipment and Information by Personnel.—Concurrent with the establishment of the procedures required by subparagraph (B), the Administrator shall establish procedures to be used if information owned by the Administration was in use during or at risk as a result of the successful penetration of a covered network.

"(A) in order to—

"(i) in the case of a penetration of a covered network of a management and operating contractor, enhance the access of personnel of the Administration to, upon request, obtain access to equipment or information of a contractor necessary to conduct forensic analysis in addition to any analysis conducted by the contractor or subcontractor;

"(ii) provide that a contractor or subcontractor is only required to provide access to equipment or information as described in clause (i) to determine whether information created or for the Administration in connection with any program of the Administration was successfully exfiltrated from a network and or subcontractor and, if so, what information was exfiltrated; and

"(iii) provide for the reasonable protection of trade secrets, commercial or financial information as described in section 6103 of title 5, United States Code, that can be used to identify a specific person.

"(B) Dissemination of Information.—The procedures established pursuant to subsection (a) shall allow for the dissemination of information obtained or derived through such procedures so that such information may be disseminated only to enti-
ties with missions that may be affected by such information;

"(C) that conduct counterintelligence or law enforcement investigations; or

"(D) for the conduct of cyber operations, includ-
ing cyber situational awareness and defense purposes.

"(d) Definitions.—In this section:

"(1) Chief Information Officer.—The term 'Chief Information Officer' means the Asso-
ciate Administrator for Information Management and Chief Information Officer of the Administration.

"(2) Contractor.—The term ‘contractor’ means a private entity that has entered into a contract or contractual arrangement with the Administration to furnish supplies, equipment, materials, or services of any kind in connection with any program of the Administration, as determined by the Administrator.

"(3) Covered Network.—The term ‘covered network’ means any network or information system that accesses, receives, or stores information.

"(4) Classified information; or

"(5) Sensitive unclassified information ger-
nerate to any program of the Administration, as determined by the Administrator.

"(6) Subcontractor.—The term ‘subcontractor’ means a private entity that has en-
tered into a contract or contractual action with a contractor or another subcontractor to furnish supplies, equipment, materials, or services of any kind in connection with another contract in support of any program of the Administration.

"(7) National Nuclear Security Administration.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 410 the following new item:

"Sec. 411. Reporting on Penetrations of Net-
works of contractors and sub-
contractors."

SEC. 3132. CLARIFICATION OF RESPONSIBILITY
FOR CYBERSECURITY OF NATIONAL
NUCLEAR SECURITY ADMINIS-
TRATION FACILITIES.

(a) Establishment of Chief Information
Officer.—Subtitle B of the National Nuclear Security Administration Act (50 U.S.C. 2421 et seq.) is amended by adding at the end the following new section:

"SEC. 3237. CHIEF INFORMATION OFFICER.

"There is within the Administration a Chief Information Officer, who shall be—

"(1) appointed by the Administrator; and

"(2) responsible for the development and implementation of cybersecurity for all facilities of the Administration.

(b) Conforming Amendment.—Section 3215(b)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2422(b)(3)) is amended by striking "and cyber".

"(C) AVOIDANCE OF DELAYS IN REPORTING.—If a contractor or subcontractor is not able to obtain the information required by subparagraph (B) to be included in a report required by subparagraph (A) by the date that is 60 days after the discovery of a successful penetration of a covered network of the contractor or subcontractor, the contractor or subcontractor shall—

"(i) include in the report all information available as of that date; and

"(ii) provide to the Chief Information Officer the additional information required by subparagraph (B) as the information becomes available.

"(2) ACCESS TO EQUIPMENT AND INFORMATION
BY ADMINISTRATION PERSONNEL.—Concurrent with the establishment of the procedures required by subparagraph (B), the Administrator shall establish procedures to be used if information owned by the Administration was in use during or at risk as a result of the successful penetration of a covered network.

"(A) in order to—

"(i) in the case of a penetration of a covered network of a management and operating contractor, enhance the access of personnel of the Administration to, upon request, obtain access to equipment or information of a contractor necessary to conduct forensic analysis in addition to any analysis conducted by the contractor or subcontractor;

"(ii) provide that a contractor or subcontractor is only required to provide access to equipment or information as described in clause (i) to determine whether information created or for the Administration in connection with any program of the Administration was successfully exfiltrated from a network and or subcontractor and, if so, what information was exfiltrated; and

"(iii) provide for the reasonable protection of trade secrets, commercial or financial information as described in section 6103 of title 5, United States Code, that can be used to identify a specific person.

"(B) Dissemination of Information.—The procedures established pursuant to subsection (a) shall allow for the dissemination of information obtained or derived through such procedures so that such information may be disseminated only to enti-
ties with missions that may be affected by such information;

"(C) that conduct counterintelligence or law enforcement investigations; or

"(D) for the conduct of cyber operations, includ-
ing cyber situational awareness and defense purposes.

"(4) Definitions.—In this section:

"(1) Chief Information Officer.—The term ‘Chief Information Officer’ means the Asso-
ciate Administrator for Information Management and Chief Information Officer of the Administration.

"(2) Contractor.—The term ‘contractor’ means a private entity that has entered into a contract or contractual arrangement with a contractor or another subcontractor to furnish supplies, equipment, materials, or services of any kind in connection with another contract in support of any program of the Administration.

"(3) Covered Network.—The term ‘covered network’ means any network or information system that accesses, receives, or stores information.

"(4) Classified information; or

"(5) Sensitive unclassified information ger-
nerate to any program of the Administration, as determined by the Administrator.

"(6) Subcontractor.—The term ‘subcontractor’ means a private entity that has en-
tered into a contract or contractual action with a contractor or another subcontractor to furnish supplies, equipment, materials, or services of any kind in connection with another contract in support of any program of the Administration.

"(7) National Nuclear Security Administration.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 410 the following new item:

"Sec. 3237. Chief Information Officer.

Subtitle E—Defense Environmental Cleanup

SEC. 3141. PUBLIC STATEMENT OF ENVIRON-
MENTAL LIABILITIES FOR FACILI-
tIES UNDERGOING DEFENSE ENVI-
RONMENTAL CLEANSUP.

(a) In General.—Subtitle A of title XXV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

"SEC. 4110. PUBLIC STATEMENT OF ENVIRON-
MENTAL LIABILITIES.

"Each year, at the same time that the Depart-
mint of Energy submits its annual fi-
nancial report under section 3516 of title 31, United States Code, the Secretary of Energy shall make available to the public a state-
mement of environmental liabilities, as cal-
culated for the most recent audited financial statement of the Department under section 3515 of that title, for each nuclear facility at which defense environmental clean-
up activities are occurring.

(b) Conforming Amendment.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 410 the following new item:
(a) In General.—The Assistant Secretary of Energy for Environmental Management, in consultation with other appropriate officials of the Department of Energy, shall establish requirements for the classification of defense environmental cleanup projects as capital asset projects or operations activities.

(b) Report Required.—Not later than March 1, 2021, the Assistant Secretary shall submit to the congressional defense committee a report—

(1) setting forth the requirements established under subsection (a); and

(2) assessing whether any ongoing defense environmental cleanup projects should be reclassified based on those requirements.

SEC. 3144. ADJUSTMENT OF ALTERNATIVES TO AID DECISIONMAKING.—The analysis required by subsection (a) shall be designed, to the greatest extent possible, to provide decisionmakers with the ability to make a direct comparison between approaches for the supplemental treatment of low-activity waste at the Hanford Nuclear Reservation, Richland, Washington, intended for supplemental treatment.

(c) Elements.—The analysis required by subsection (a) shall include an assessment of the following:

(1) The most effective potential technology for supplemental treatment of low-activity waste that will produce an effective waste form, including an assessment of the following:

(A) The maturity and complexity of the technology.

(B) The extent of previous use of the technology.

(C) The life cycle costs and duration of use of the technology.

(D) The effectiveness of the technology with respect to immobilization.

(2) The differences among approaches for the supplemental treatment of low-activity waste, considered as of the date of the analysis.

(3) The compliance of such approaches with the technical standards described in section 3134(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 2017.

(4) The differences among potential disposal sites for the waste form produced through such treatment, including mitigation of radionuclides, including technetium-99, selenium-75, and iodine-129, on a system level.

(5) Potential modifications to the design of facilities to enhance performance with respect to disposal costs of radionuclides described in paragraph (4).

(6) The expected radiation dose to maximally exposed individuals over time.

F. Differences among disposal environments.

(7) Approximately how much and what type of pretreatment is needed to meet regulatory requirements regarding long-lived radionuclides and hazardous chemicals to reduce disposal costs for radionuclides described in paragraph (4).

(8) Whether the radionuclides can be left in the waste form or economically removed and bounded at a system level by the performance assessment of a potential disposal site and, if the radionuclides be left in the waste form, how to account for the secondary waste stream.

(g) Other Relevant Factors Relating to the Technology Described in Paragraph (1), Including the Following:

(A) The costs and risks in delays with respect to reactor performance over time.

(B) Consideration of experience with treatment methods at other sites and commercial facilities.

(C) Outcomes of the test bed initiative of the Office of Environmental Management at the Hanford Nuclear Reservation.

(d) Review, Consultation, Submission, and Limitations.—The provisions of subsections (c) through (f) of section 3134 of the National Defense Authorization Act for Fiscal Year 2017 shall apply with respect to the analysis required by subsection (a) to the same extent and in the same manner that such provisions applied with respect to the analysis required by subsection (a) of such section 3134, except that subsection (c) of such section 3134 shall be construed to read—

(e) by substituting “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017” for “the date of the enactment of this Act” each place it appears.

Subtitle F—Other Matters

SEC. 3151. MODIFICATIONS TO ENHANCED PROCUREMENT AUTHORITY TO MANAGE THE NUCLEAR WEAPONS SUPPLY CHAIN.

Section 4806 of the Atomic Energy Defense Act (50 U.S.C. 2786e) is amended—

(1) in subsections (a) and (c), by inserting “or special exclusion action” after “covered procurement action” each place it appears; and

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

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

“(e) DELEGATION OF AUTHORITY.—The Secretary may delegate the authority under this section to—

(1) in the case of the Administration, the Administrator; and

(2) in the case of any other component of the Department of Energy, the Senior Procurement Executive of the Department.”; and

(4) in subsection (f), as redesignated by paragraph (3), by inserting before paragraph (7) the following new paragraph (6):

“(6) SPECIAL EXCLUSION ACTION.—The term ‘special exclusion action’ means an action to

prohibit, for a period not to exceed two years, the award of any contracts or subcontracts by the Administration or any other component of the Department of Energy to any covered system to a source the Secretary determines to represent a supply chain risk.’.’.

SEC. 3152. PROHIBITION ON USE OF LABORATORY- OR PRODUCTION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT FUNDS FOR GENERAL AND ADMINISTRATIVE OVERHEAD COSTS.

Section 8111 of the Atomic Energy Defense Act (50 U.S.C. 2790b), as amended by section 313 is further amended by—

(1) by redesigning subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) Prohibition on Use of Funds for General and Administrative Overhead Costs.—Funds provided to a national security laboratory or nuclear weapons production facility for laboratory- or production facility-directed research and development may not be used to cover the costs of general and administrative overhead for the laboratory or facility.’.’.

SEC. 3153. MONITORING OF INDUSTRIAL BASE FOR NUCLEAR WEAPONS COMPONENTS, SUBSYSTEMS, AND MATERIAlS.

(a) Designation of Official.—Not later than March 1, 2021, the Administrator for Nuclear Security shall designate an official of the Department of Energy that relies on similar components, subsystems, and materials of the Administration, including—

(1) the consistent monitoring of the current status of the industrial base;

(2) tracking of industrial base issues over time; and

(3) proactively identifying gaps or risks in specific areas relating to the industrial base.

(b) Provision of Resources.—The Administrator shall ensure that the official designated under subsection (a) is provided with resources sufficient to conduct the monitoring required by that subsection.

(c) Consultations.—The Administrator, acting through the official designated under subsection (a), shall, to the extent practicable and beneficial, in conducting the monitoring required by that subsection, consult with—

(1) officials of the Department of Defense who are members of the Nuclear Weapons Council established under section 179 of title 10, United States Code; and

(2) officials of the Department of Defense responsible for the defense industrial base; and

(3) other components of the Department of Energy that rely on similar components, subsystems, or materials.

(d) Briefings.—

(1) Initial Briefing.—Not later than April 1, 2021, the Administrator shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the designation of the official required by subsection (a), including on—

(A) the responsibilities assigned to that official; and

(B) the plan for providing that official with resources sufficient to conduct the monitoring required by subsection (a).

(2) Subsequent Briefings.—Not later than April 1, 2022, and each year thereafter through 2024, the Administrator shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on activities conducted under this section that includes an assessment of the progress made by the official designated
SEC. 3154. PROHIBITION ON USE OF FUNDS FOR ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) In General.—None of the funds authorized to be appropriated for the National Nuclear Security Administration for fiscal year 2021 may be obligated or expended to conduct research and development of an advanced naval nuclear fuel system based on low-enriched uranium until the following certifications are submitted to the congressional defense committees:

(1) A certification of the Secretary of Energy and the Secretary of Defense that the determination made by the Secretary of Energy and the Secretary of the Navy pursuant to section 4701 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue such research and development, no longer reflects the policy of the United States;

(2) A certification of the Secretary of the Navy that an advanced naval nuclear fuel system based on low-enriched uranium would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements;

(b) Report Required.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2020 for demonstration and development of the system described in subparagraph (A) including a description of progress made toward technological or nonproliferation goals.

SEC. 3155. AUTHORIZATION OF APPROPRIATIONS FOR W93 NUCLEAR WARHEAD PROGRAM.

In accordance with section 4290a(a)(1)(B) of the Atomic Energy Defense Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2020 for demonstration and development of the system described in subparagraph (A) including a description of progress made toward technological or nonproliferation goals.

SEC. 3156. REVIEW OF FUTURE OF COMPUTING BEYOND EXASCALE AT THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) In General.—The Administrator for Nuclear Security Consultation with the Secretary of Energy, shall enter into an agreement with the National Academy of Sciences to review the future of computing beyond exascale to meet national security needs at the National Nuclear Security Administration.

(b) Elements.—The review required by subsection (a) shall address the following:

(1) Future computing needs of the National Nuclear Security Administration that exascale computing will not accomplish during the 20 years after the date of the enactment of this Act.

(2) Computing architectures that potentially can meet those needs, including—

(A) classical computing architectures employed as of such date of enactment;

(B) quantum computing architectures and other novel computing architectures;

(C) hybrid combinations of classical and quantum computing architectures; and

(D) other architectures as necessary.

(3) The development of software for the computing architectures described in paragraph (2).

(4) The maturity of the computing architectures described in paragraph (2) and the software supporting those architectures (of the National Nuclear Security Administration) with key obstacles that must be overcome for the employment of such architectures and software.

(5) The secure industrial base that exists as of the date of the enactment of this Act to meet the unique needs of computing at the National Nuclear Security Administration, including needs with respect to—

(A) personnel;

(B) microelectronics; and

(C) other appropriate matters.

(c) Information and Clearances.—The Administrator shall ensure that personnel of the National Academy of Sciences overseeing the implementation of the agreement required by paragraph (2) are conducted in a timely manner, access to information necessary for the conduct of the review required by that subsection receive, and necessary clearances to enable the conduct of the review required by paragraph (2).

SEC. 3157. APPLICATION OF REQUIREMENT FOR IMPORTATION LIMITS AND REVIEWS TO NEW NUCLEAR WEAPON SYSTEMS.

Section 4217(b)(1) of the Atomic Energy Defense Act (50 U.S.C. 2529(b)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting ‘‘and each new nuclear weapon system at the completion of phase 3 after ‘phase 6.2A’’;’’;

(B) in clause (ii), by inserting ‘‘, and each new nuclear weapon system at the completion of phase 3 after ‘phase 6.3’’;’’ and

(C) in clause (ii)—

(i) by inserting ‘‘, and each new nuclear weapon system at the completion of phase 4 after ‘phase 6.4’;’’ and

(ii) by inserting ‘‘or 5, as applicable’’ after ‘‘phase 6.5’’;’’ and

(2) in subparagraph (B), by inserting ‘‘, and each new nuclear weapon system at the completion of phase 3 after ‘phase 6.2A’’;’’.

SEC. 3158. EXTENSION AND EXPANSION OF LIMITATIONS ON IMPORTATION OF URANIUM.

(a) In General.—Section 3112A of the USEC Privatization Act (42 U.S.C. 2297h–10a) is amended—

(1) in subsection (a)—

(A) by redesigning paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

‘‘(7) SUSPENSION AGREEMENT.—The term ‘Suspension Agreement’ has the meaning given that term in section 3102(3).’’;

(2) in subsection (b)—

(A) by striking ‘‘United States to support’’ and inserting the following: ‘‘United States—’’ (i) to support;’’;

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

‘‘(2) that reliance on uranium imports raises significant national security concerns;’’;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the first sentence—

(A) by inserting ‘‘The Secretary—’’ before ‘‘in determining the availability of uranium’’;

(ii) by inserting ‘‘to be produced pursuant to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) with respect to low-enriched uranium produced in the Russian Federation.’’;

(B) by striking clause (v) and inserting the following:

‘‘(v) in calendar year 2033, 359,353 kilograms;’’;

(4) in subsection (d)—

(A) in paragraph (2)—

(i) in the first sentence—

(A) by striking ‘‘The Secretary—’’ before ‘‘in determining the availability of uranium’’;

(ii) by inserting ‘‘to be produced pursuant to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.)’’ before ‘‘with respect to low-enriched uranium produced in the Russian Federation.’’;

(C) in paragraph (5)—

(i) in subparagraph (A)—

(A) by striking ‘‘reference data’’ and all that follows through ‘‘2019’’ and inserting the following: ‘‘lower scenario data in the document of the World Nuclear Association entitled ‘Nuclear Fuel Report: Global Scenarios and Assumptions for Availability 2018–2040’. In each of calendar years 2023, 2027, and 2031’’;
SECTION 3161. ADVANCED MANUFACTURING DEVELOPMENT PROGRAM

The Administrator for Nuclear Security shall establish an advanced manufacturing development program to focus on the development, demonstration, and deployment of next-generation processes and manufacturing tools to ensure that the nuclear weapons stockpile is safe and secure.

SECTION 3162. MATERIALS SCIENCE PROGRAM

The Administrator for Nuclear Security shall establish a materials science program to develop new materials to replace materials that are no longer available for weapons sustainment.

SECTION 3163. MODIFICATIONS TO INERTIAL CONFINEMENT FUSION PROGRAM AND HIGH YIELD PROGRAM

(a) IN GENERAL.—The Inertial Confinement Fusion Program and the High Yield Program of the National Nuclear Security Administration (in this section referred to as the “Program”) shall provide the scientific underpinnings and experimental capabilities required to validate the safety and effectiveness of the nuclear weapons stockpile.

(b) RECOMMENDATIONS RELATING TO HIGH ENERGY DENSITY PHYSICS.

(1) ESTABLISHMENT OF WORKING GROUP.—The Administrator for Nuclear Security shall establish a working group to identify and implement any recommendations issued by the National Academies of Sciences, Engineering, and Medicine as required by section 313F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92).

(2) REPORT REQUIRED.—Not later than March 31, 2021, the Administrator shall submit to the congressional defense committees a report on the timelines for implementing the recommendations described in paragraph (1).

SECTION 3164. EARNED VALUE MANAGEMENT PROGRAM FOR LIFE EXTENSION PROGRAM

(a) IN GENERAL.—The Administrator shall establish an earned value management program to establish earned value management standards—

(1) to ensure specific benchmarks are set for technology readiness for life extension programs; and

(2) to ensure that appropriate risk mitigation measures are taken to meet the cost and schedule requirements of such programs.

(b) REVIEW OF CONTRACTOR EARNED VALUE MANAGEMENT SYSTEMS.—The Administrator shall enter into an arrangement with an independent entity under which that entity shall review and determine whether the earned value management standards of contractors of the Administration for life extension programs are consistent with the standards established under subsection (a).

(c) RECONCILIATION OF COST ESTIMATES.—The Administrator shall review the key decisions of the Administration concerning project milestones in life extension programs based on a reconciliation of cost estimates of the Administration with any independent cost estimates conducted by the Director of Cost Estimating and Program Evaluation.

(d) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

“§ 4223. EARNED VALUE MANAGEMENT PROGRAMS FOR LIFE EXTENSION PROGRAMS.”

SECTION 3165. USE OF HIGH PERFORMANCE COMPUTING CAPABILITIES FOR COVID-19 RESEARCH

The Secretary of Energy shall make the high performance computing capabilities of the Department of Energy available for research relating to the coronavirus disease 2019 (commonly known as “COVID-19”) so long as and to the extent that so doing does not interfere with the stockpile stewardship mission of the National Nuclear Security Administration.

SECTION 3166. AVAILABILITY OF STOCKPILE RESPONSIVENESS FUNDS FOR PROJECTS TO REDUCE TIME NECESSARY TO EXECUTE A NUCLEAR TEST

From amounts authorized to be appropriated by section 3101 and available, as specified in the funding table in section 4701, for the Stockpile Responsiveness Program under section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b), not less than $10,000,000 shall be made available for projects related to reducing the time required to execute a nuclear test if necessary.

SECTION 3167. SENSE OF THE SENATE ON EXTENSION OF LIMITATION ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION

It is the sense of the Senate that—

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

(2) the United States should—

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

(B) if an agreement to extend the Russian Suspension Agreement cannot be reached, complete the antidumping investigation under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) with respect to imports of uranium from the Russian Federation—

(i) to avoid unfair trade in uranium and maintain a nuclear fuel supply chain in the United States, consistent with national security and nonproliferation goals of the United States; and

(ii) to protect the United States nuclear fuel supply chain from the continued manipulation of the global and United States uranium markets by the Russian Federation and Russian-influenced competitors;

(3) renegotiate, on the basis of the Russian Suspension Agreement, a new long-term extension of the Russian Suspension Agreement that Congress shall enact legislation to codify the terms of extension into law to ensure long-term stability for the domestic nuclear fuel supply chain; and

(4) 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.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SECTION 3201. AUTHORIZATION

There are authorized to be appropriated for fiscal year 2021, $33,836,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2266 et seq.).

SECTION 3202. NONPUBLIC COLLABORATIVE DISCUSSIONS BY DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2266b) is amended by adding at the end the following new subsection:

“(k) NONPUBLIC COLLABORATIVE DISCUSSIONS—

(1) IN GENERAL.—Notwithstanding section 525(b) of title 5, United States Code, a quorum of the members of the Board may hold a meeting that is not open to public observation to discuss official business of the Board if—

(A) no formal or informal vote or other official action is taken at the meeting; and

(B) each individual present at the meeting is a member or an employee of the Board;
“(C) at least one member of the Board from each political party is present at the meeting, unless all members of the Board are of the same political party at the time of the meeting; and

“(D) the general counsel of the Board, or a designee of the general counsel, is present at the meeting.

“2. DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(A) IN GENERAL.—Except as provided by subparagraph (B), not later than two business days after the conclusion of a meeting described in paragraph (1), the Board shall make available to the public, in a place easily accessible to the public—

“(i) a list of the individuals present at the meeting; and

“(ii) a summary of the matters, including key issues, discussed at the meeting, except for any matter the Board properly determines may be withheld from the public under section 552(c) of title 5, United States Code.

“(B) INFORMATION ABOUT MATTERS WITHHELD FROM PUBLIC.—If the Board properly determines under subparagraph (A)(ii) that a matter may be withheld from the public under section 552(c) of title 5, United States Code, the Board shall include in the summary required by that subparagraph as much general information as possible with respect to the matter, or

“(3) RULES OF CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to limit the applicability of section 552 of title 5, United States Code, with respect to—

“(i) a meeting of the members of the Board other than a meeting described in paragraph (1); or

“(ii) any information that is proposed to be withheld from the public under paragraph (2)(A)(ii); or

“(B) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5, United States Code.”

“SEC. 2301. IMPROVEMENTS TO OPERATIONS OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

“(a) Mission of Board.—Section 312(a) of the Atomic Energy Act of 1946 (42 U.S.C. 2286a(a)) is amended by striking “employees and contractors at such facilities” and inserting—

“(1) conducting activities covered by part 830 of title 10, Code of Federal Regulations or (or any successor regulation) .

“(b) OPERATIONS.—Section 314(a) of the Atomic Energy Act of 1946 (42 U.S.C. 2286c(a)) is amended—

“(1) by inserting “(1)” before “Except” ; and

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

“(2) For purposes of this subsection, the term ‘unfettered access’, with respect to a facility or personnel of or information related to a facility, means access equivalent to the access to the facility, personnel, or information in a regular employment relationship with the facility, after proper identification and compliance with applicable access control measures for security, radiological protection, and personal safety.”

“TITLE XXXV—MARITIME ADMINISTRATION

“SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“* 109. Maritime Administration

“(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant marine industry of the United States.

“(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

“(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Advisory Council of the Maritime Administration. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence of the Maritime Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) DUTIES AND POWERSvested in Secretary.—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific ports, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

“(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representatives of trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the Armed Forces, makes the officer’s total pay equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

“(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary, through the Maritime Administration, may make contracts and cooperative agreements for the United States Government to the extent that such contracts and cooperative agreements are made under section 552 of title 41, United States Code; and

“(A) carry out the Secretary’s duties and powers under section 552 of title 41, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business transactions authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any disbursements.

“(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—Except as otherwise provided in this section, there are authorized to be appropriated such amounts for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, and for the reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations; and

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and

“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.”.

“DIVISION D—FUNDING TABLES

“SEC. 4901. 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) may not be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2574 of title 10, United States Code, or on competitive procedures; and

“(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 programming 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 be against a commitment, such transfers or reprogramming under section 101 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

“(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

“ORAL OR 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 XI—PROCUREMENT

“SEC. 4910. PROCUREMENT.
### MODIFICATION OF AIRCRAFT

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<tr>
<td>31</td>
<td>GATM ROLLUP</td>
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<td>32</td>
<td>UAS MODS</td>
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### MODIFICATIONS OF AIRCRAFT PROCUREMENT, ARMY

<table>
<thead>
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<th>Line</th>
<th>Item</th>
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<tbody>
<tr>
<td>23</td>
<td>MODIFICATION OF AIRCRAFT</td>
<td>3,074,594</td>
<td>3,259,594</td>
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### MISSILE PROCUREMENT, ARMY

<table>
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<tbody>
<tr>
<td>37</td>
<td>COMMON INFRARED COUNTERMEASURES (CIRCM)</td>
<td>257,967</td>
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### OTHER SUPPORT

<table>
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<tbody>
<tr>
<td>38</td>
<td>AVIONICS SUPPORT EQUIPMENT</td>
<td>1,789</td>
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<td>39</td>
<td>COMMON GROUND EQUIPMENT</td>
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<td>40</td>
<td>AIRCRAFT INTEGRATED SYSTEMS</td>
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<td>41</td>
<td>AIR TRAFFIC CONTROL</td>
<td>26,408</td>
<td>26,408</td>
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<td>42</td>
<td>LAUNCHER, 2.75 ROCKET</td>
<td>2,256</td>
<td>2,256</td>
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<tr>
<td>43</td>
<td>LAUNCHER GUIDED MISSILE, LONGBOW HELLFIRE XM2</td>
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### TOTAL AIRCRAFT PROCUREMENT, ARMY

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<td>44</td>
<td>3,074,594</td>
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### MISSILE PROCUREMENT, ARMY

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<td>SURFACE-TO-AIR MISSILE SYSTEM</td>
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<td>46</td>
<td>MSE MISSILE</td>
<td>663,188</td>
<td>779,773</td>
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<td>47</td>
<td>Transfer missiles from EDI OCO</td>
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<td>48</td>
<td>PRECISION STRIKE MISSILE (FRSM)</td>
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<td>49</td>
<td>INDIVIDUAL PROTECTION CREATION/ABILITY INC 3–4</td>
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<td>50</td>
<td>Army-identified funding early to need</td>
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<td>51</td>
<td>AIR-TO-SURFACE MISSILE SYSTEM</td>
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<td>52</td>
<td>HELLFIRE SYS SUMMARY</td>
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<td>53</td>
<td>LONG RANGE PRECISION MUNITION</td>
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### ANTI-TANK/ASSAULT MISSILE SYS

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<td>54</td>
<td>JAVELIN (AAW-9-M) SYSTEM SUMMARY</td>
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<td>55</td>
<td>JOINT AIR-TO-GROUND MSL (JAGM)</td>
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<td>LONG RANGE PRECISION MUNITION</td>
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### MODIFICATIONS

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<td>PATRIOT MODS</td>
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<td>ATACMS MODS</td>
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<td>59</td>
<td>AVENGER MODS</td>
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<td>TOW 2 SYSTEM SUMMARY</td>
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<td>61</td>
<td>GUIDED MLRS ROCKET (GMLRS)</td>
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<td>62</td>
<td>MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)</td>
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<td>63</td>
<td>HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)</td>
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</table>

### SPARES AND REPAIR PARTS

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<tr>
<td>64</td>
<td>SPARES AND REPAIR PARTS</td>
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### TOTAL MISSILE PROCUREMENT, ARMY

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<td>65</td>
<td>3,491,507</td>
<td>3,627,592</td>
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## SEC. 4101. PROCUREMENT

(In Thousands of Dollars)

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<td>5</td>
<td>BRADLEY PROGRAM (MOD)</td>
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<td>M109 FOV MODIFICATIONS</td>
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<td>7</td>
<td>PALADIN INTEGRATED MANAGEMENT (PIM)</td>
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<td>9</td>
<td>ASSAULT BRIDGE (MOD)</td>
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<td>10</td>
<td>ASSAULT BREACHER VEHICLE</td>
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<td>11</td>
<td>M88 FOV MODS</td>
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<td>Unjustified growth</td>
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<td>JOINT ASSAULT BRIDGE</td>
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<td>IOT&amp;E and testing delay</td>
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<td>M1 Abrams Tank (MOD)</td>
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<td>14</td>
<td>Abrams Upgrade Program</td>
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<td></td>
<td>Mortar, Howitzer, and Other Combat Veh</td>
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<td>16</td>
<td>Multifunction Anti-Armor Anti-Personnel Weapon Systems</td>
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<td>18</td>
<td>Mortar Systems</td>
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<td>19</td>
<td>XM320 Grenade Launcher Module (GLM)</td>
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<td>Precision Sniper Rifle</td>
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<td>21</td>
<td>Compact Semi-Automatic Sniper System</td>
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<td>22</td>
<td>Carbine</td>
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<td>23</td>
<td>Next Generation Squad Weapon</td>
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<td>Common Remotely Operated Weapons Station</td>
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<td>25</td>
<td>Handgun</td>
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<td></td>
<td>MOD of Weapons and Other Combat Veh</td>
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<td>26</td>
<td>MK-19 Grenade Machine Gun Mods</td>
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<td>28</td>
<td>M4 Carbine Mods</td>
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<td>M240 Medium Machine Gun Mods</td>
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<td>32</td>
<td>Sniper Rifle Modifications</td>
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<td>33</td>
<td>Mine Modifications</td>
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<td>34</td>
<td>Mortar Modifications</td>
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<td>35</td>
<td>Modifications Less Than $5.0M (WOCV-WTCV)</td>
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<tr>
<td></td>
<td>Support Equipment &amp; Facilities</td>
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<td></td>
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<tr>
<td>36</td>
<td>Items Less Than $5.0M (WOCV-WTCV)</td>
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<td>2,763</td>
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<td>37</td>
<td>Production Base Support (WOCV-WTCV)</td>
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<td>Total Procurement of W&amp;TCV, Army</td>
<td>3,696,740</td>
<td>3,641,240</td>
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### PROCUREMENT OF AMMUNITION, ARMY

#### SMALL/MEDIUM CAL AMMUNITION

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<th>Item</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>CTG, 5.56MM, ALL TYPES</td>
<td>68,472</td>
<td>68,472</td>
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<tr>
<td>2</td>
<td>CTG, 7.62MM, ALL TYPES</td>
<td>199,933</td>
<td>199,933</td>
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<tr>
<td>3</td>
<td>NEXT GENERATION SQUAD WEAPON AMMUNITION</td>
<td>11,988</td>
<td>11,988</td>
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<tr>
<td>4</td>
<td>CTG, Handgun, ALL TYPES</td>
<td>853</td>
<td>853</td>
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<tr>
<td>5</td>
<td>CTG, 50 CAL, ALL TYPES</td>
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<td>58,280</td>
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<td>6</td>
<td>CTG, 20MM, ALL TYPES</td>
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<td>31,708</td>
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<td>7</td>
<td>CTG, 25MM, ALL TYPES</td>
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<td>8</td>
<td>CTG, 30MM, ALL TYPES</td>
<td>58,172</td>
<td>58,172</td>
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<td>9</td>
<td>CTG, 40MM, ALL TYPES</td>
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#### MORTAR AMMUNITION

<table>
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<tr>
<td>10</td>
<td>60mm Mortar, ALL TYPES</td>
<td>31,222</td>
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<td>11</td>
<td>81mm Mortar, ALL TYPES</td>
<td>42,857</td>
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<tr>
<td>12</td>
<td>120mm Mortar, ALL TYPES</td>
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#### TANK AMMUNITION

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<tbody>
<tr>
<td>13</td>
<td>Cardges, Tank, 105mm and 120mm, ALL TYPES</td>
<td>233,444</td>
<td>233,444</td>
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#### ARTILLERY AMMUNITION

<table>
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<tr>
<td>14</td>
<td>Artillery Cartridges, 75mm &amp; 105mm, ALL TYPES</td>
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<tr>
<td>15</td>
<td>Artillery Projectile, 155mm, ALL TYPES</td>
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<td>16</td>
<td>PROJ 155MM EXTENDED RANGE M982</td>
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<td>69,159</td>
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<tr>
<td>17</td>
<td>Artillery Propellants, Fuze and Primers, ALL</td>
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#### MINES

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<td>18</td>
<td>Mines &amp; Clearing Charges, ALL TYPES</td>
<td>65,278</td>
<td>65,278</td>
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<td>19</td>
<td>Close Terrain Shaping Obstacle</td>
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#### ROCKETS

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<tr>
<td>20</td>
<td>Shoulder Launched Munitions, ALL TYPES</td>
<td>69,112</td>
<td>69,112</td>
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<tr>
<td>21</td>
<td>Rocket, Hydra 70, ALL TYPES</td>
<td>125,915</td>
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#### OTHER AMMUNITION

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<tbody>
<tr>
<td>22</td>
<td>CAD/PAD, ALL TYPES</td>
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<td>24</td>
<td>DEMOLITION MUNITIONS, ALL TYPES</td>
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<td>25</td>
<td>GRENADES, ALL TYPES</td>
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<td>SIGNALS, ALL TYPES</td>
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<td>SIMULATORS, ALL TYPES</td>
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#### MISCELLANEOUS

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<tr>
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<td>AMMO COMPONENTS, ALL TYPES</td>
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<td>3,476</td>
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<td>ITEMS LESS THAN $5 MILLION (AMMO)</td>
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<td>10,569</td>
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<td>30</td>
<td>AMMUNITION PECULIAR EQUIPMENT</td>
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<td>31</td>
<td>FIRST DESTINATION TRANSPORTATION (AMMO)</td>
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<td>15,908</td>
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<td>32</td>
<td>LIABILITY INSURANCE</td>
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#### PRODUCTION BASE SUPPORT

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<tr>
<td>33</td>
<td>INDUSTRIAL FACILITIES</td>
<td>592,224</td>
<td>592,224</td>
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<tr>
<td>34</td>
<td>CONVENTIONAL MUNITIONS DEMILITARIZATION</td>
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### TOTAL PROCUREMENT OF AMMUNITION, ARMY

2,777,716 2,777,716
### OTHER PROCUREMENT, ARMY

**TACTICAL VEHICLES**

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<th>Item</th>
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<tbody>
<tr>
<td>1</td>
<td>Tactical Trailers/Dolly Sets</td>
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</tr>
<tr>
<td>2</td>
<td>Semitrailers, Flatbed</td>
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<tr>
<td>3</td>
<td>Semitrailers, Tankers</td>
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<tr>
<td>4</td>
<td>HI Mob Multi-Purp Whld Veh (HMMWV)</td>
<td>44,795</td>
</tr>
<tr>
<td>5</td>
<td>Ground Mobility Vehicles (GMV)</td>
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<td>6</td>
<td>Joint Light Tactical Vehicle Family of Vehicles</td>
<td>894,414</td>
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<td>7</td>
<td>Truck, Dump, 3/4 T (CCE)</td>
<td>25,368</td>
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<tr>
<td>8</td>
<td>HI Mob Tactical Veh (FMTV)</td>
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<tr>
<td>9</td>
<td>Family of Cold Weather All-Terrain Vehicle (C)</td>
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<tr>
<td>10</td>
<td>Firetrucks &amp; Associated Firefighting Equip</td>
<td>27,687</td>
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<tr>
<td>11</td>
<td>OVS EP</td>
<td>21,969</td>
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<td>12</td>
<td>HV Expanded Mobile Tactical Truck Ext Serv</td>
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<td>HMMWV Recapitalization Program</td>
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<td>14</td>
<td>Tactical Wheeled Vehicle Protection Kits</td>
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<td>15</td>
<td>MODIFICATION OF IN SVC EQUIP</td>
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**NON-TACTICAL VEHICLES**

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<td>16</td>
<td>Passenger Carrying Vehicles</td>
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<td>Nontactical Vehicles, Other</td>
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**COMM—JOINT COMMUNICATIONS**

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<td>Signal Modernization Program</td>
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<td>Tactical Network Technology Mod in SVC</td>
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<td>20</td>
<td>MTF Scalable Node Equipment</td>
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<td>Situation Information Transport</td>
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<td>JSE Equipment (USREDCOM)</td>
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**COMM—SATELLITE COMMUNICATIONS**

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<td>Defense Enterprise Wideband SATCOM Systems</td>
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<td>24</td>
<td>Tactical Cable Tactical Command Communications</td>
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<td>25</td>
<td>AFRICOM Force Protection Upgrades</td>
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<tr>
<td>26</td>
<td>MTFP Support Requirements</td>
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<td>27</td>
<td>SHF Term</td>
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<td>28</td>
<td>Assured Positioning, Navigation and Timing</td>
<td>134,928</td>
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<td>SMART-T (Space)</td>
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<td>Global Broadcast SVC—GBS</td>
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**C3—CM SYSTEM**

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<td>COE Tactical Server Infrastructure (TSI)</td>
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**COMM—COMBAT COMMUNICATIONS**

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<td>Handheld Manpack Small Form Fit (HMS)</td>
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<td>AFRICOM Force Protection Upgrades</td>
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<td>Radio Terminal Set, MIDS LVT(2)</td>
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<td>35</td>
<td>Spider Family of Networked Munitions Incr</td>
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<td>36</td>
<td>Program cancellation</td>
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<td>37</td>
<td>Unified Command Suite</td>
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<td>Family of Med Comm for Combat Casualty Care</td>
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<td>Army Communications &amp; Electronics</td>
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**INTELLIGENCE COMM**

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<td>CI Automation Architecture (MIP)</td>
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<td>Defense Military Deception Initiative</td>
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**INFORMATION SECURITY**

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<td>43</td>
<td>Joint Information System Security Program-ISSP</td>
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<td>Communications Security (COMSEC)</td>
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<td>Defensive Cyber Operations</td>
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<td>MTFP Cyber Defense and EW Tools</td>
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<td>Items Less than 5M (Info Security)</td>
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**COMM—LONG HAUL COMMUNICATIONS**

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<td>Base Support Communications</td>
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**COMM—BASE COMMUNICATIONS**

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<td>Emergency Management Modernization Program</td>
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<td>Home Station Mission Command Centers (HSCMC)</td>
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<td>Joint Information Environment (JIE)</td>
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<td>Installation Info Infrastructure Mod Program</td>
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**ELECT EQUIP—TACT INF REL ACT (TIRA)**

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<td>MI (MIP)</td>
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<td>Terrestrial Layer Systems (TLS) (MIP)</td>
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<td>DCGS-A (MIP)</td>
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<td>TROJAN (MIP)</td>
<td>17,593</td>
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<td>MOD OF IN-SVC EQUIP (INTEL SP) (MIP)</td>
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<td>Biometric Tactical Collection Devices (MIP)</td>
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**ELECT EQUIP—ELECTRONIC WARFARE (EW)**

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<td>Lightweight Counter Mortar Radar</td>
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<td>EW Planning &amp; Management Tools (EWFM)</td>
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<td>Air Vigilance (AV) (MIP)</td>
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<td>Multi-Function Electronic Warfare (MF EW) System</td>
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<td>65</td>
<td>Counterintelligence/Security Countermeasures</td>
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**CI MODERNIZATION (MIP)**

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<tr>
<td>66</td>
<td>Elect Equip—Tactical Surv. (TAC SURV)</td>
<td>300</td>
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*Note: All figures are in thousands of dollars.*
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<td>83</td>
<td>SENTINEL MODS</td>
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<td>BRIDGE SUPPORT SYSTEM</td>
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<td>SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF</td>
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<td>INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS</td>
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<td>FAMILY OF WEAPON SIGHTS (FWS)</td>
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<td>JOINT BATTLE COMMAND—PLATFORM (JBC-P)</td>
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<td>MORTAR FIRE CONTROL SYSTEM MODIFICATIONS</td>
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<td>COUNTERFIRE RADARS</td>
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<td>ARMY COMMAND POST INTEGRATED INFRASTRUCTURE</td>
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<td>FIRE SUPPORT C2 FAMILY</td>
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<td>AIR &amp; MSL DEFENSE PLANNING &amp; CONTROL SYS</td>
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<td>101</td>
<td>IAMD BATTLE COMMAND SYSTEM</td>
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<td>LIFE CYCLE SOFTWARE SUPPORT (LCSS)</td>
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<td>NETWORK MANAGEMENT INITIALIZATION AND SERVICE</td>
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<td>GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)</td>
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<td>INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)</td>
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<td>RECONNAISSANCE AND SURVEYING INSTRUMENT SET</td>
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<td>MOD OF IN-SVC EQUIPMENT (ENFIRE)</td>
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<td>HIGH PERF COMPUTING MOD PGM (HPCM)</td>
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<td>CSS COMMUNICATIONS</td>
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<td>RESERVE COMPONENT AUTOMATION SYS (RCAS)</td>
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<td>ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)</td>
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<td>ELECT EQP—TACTICAL C2 SYSTEM</td>
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<td>SMOKE &amp; OBSCURANT FAMILY: SOF (NON AAO ITEM)</td>
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<td>BRIDGING EQUIPMENT</td>
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<td>BRIDG EQUIPMENT—FLOAT-ROBIBAN</td>
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<td>BRIDGE SUPPLEMENTAL SET</td>
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<td>COMMON BRIDGE TRANSPORTER (CST) RECAP</td>
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<td>MDTF advanced intel sys remote collection</td>
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<td>HANDHELD STANDBOFF MINIFIELD DETECTION SYS—HST</td>
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<td>HUSKY MOUNTED DETECTION SYSTEM (HMDS)</td>
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<td>ROBOTICS AND APPLIQUE SYSTEMS</td>
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<td>RENDER SAFE SETS KITS OUTFITS</td>
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<td>HYDRAULIC EXCAVATOR</td>
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<td>ALL TERRAIN CRANES</td>
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<td>CONST EQP—CARGO AERIAL DEL &amp; PERSONNEL PARACHUTE SYSTEM</td>
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<td>GENERATORS AND ASSOCIATED EQUIP</td>
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<td>TACTICAL ELECTRIC POWER RECAPITALIZATION</td>
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<td>SYNTHETIC TRAINING ENVIRONMENT (STE)</td>
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<td>CALIBRATION SETS EQUIPMENT</td>
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<td>INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)</td>
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<td>TEST EQUIPMENT MODERNIZATION (TEMOD)</td>
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<td>RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT</td>
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<td>PHYSICAL SECURITY SYSTEMS (OPA3)</td>
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**AIRCRAFT PROCUREMENT, NAVY**

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<td>TOTAL AIRCRAFT PROCUREMENT, NAVY</td>
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WEAPONS PROCUREMENT, NAVY

MODIFICATION OF MISSILES

1 TRIDENT II MODS | 1,173,837 | 1,173,837 |

SUPPORT EQUIPMENT & FACILITIES

2 MISSILE INDUSTRIAL FACILITIES | 7,275 | 7,275 |

STRATEGIC MISSILES

3 TOMAHAWK | 277,694 | 303,694 |

Program Increase for USMC Tomahawk | (26,000) |

TACTICAL MISSILES

4 AMRAAM | 326,952 | 326,952 |
| 5 SIDEWINDER | 128,485 | 128,485 |
| 7 STANDARD MISSILE | 456,206 | 456,206 |
| 8 STANDARD MISSILE AP | 66,715 | 66,716 |
| 9 SMALL DIAMETER BOMB II | 78,867 | 78,867 |
| 10 RAM | 90,533 | 90,533 |
| 11 JOINT AIR GROUND MISSILE (JAGM) | 49,386 | 49,386 |
| 14 AERIAL TARGETS | 174,336 | 174,336 |
| 15 DRONES AND DECOYS | 41,256 | 41,256 |
| 16 OTHER MISSILE SUPPORT | 3,501 | 3,501 |
| 17 LRASM | 168,845 | 203,845 |

Additional Navy LRASM missiles | (35,000) |

18 LCS OTH MISSILE | 32,910 | 32,910 |

MODIFICATION OF MISSILES

19 TOMAHAWK MODS | 164,915 | 164,915 |
| 20 ESSM | 215,375 | 215,375 |
| 22 HARM MODS | 147,572 | 147,572 |
| 23 STANDARD MISSILES MODS | 83,654 | 83,654 |

SUPPORT EQUIPMENT & FACILITIES

24 WEAPONS INDUSTRIAL FACILITIES | 1,996 | 1,996 |
| 25 FLEET SATELLITE COMM FOLLOW-ON | 53,401 | 53,401 |

ORDNANCE SUPPORT EQUIPMENT

27 ORDNANCE SUPPORT EQUIPMENT | 215,659 | 215,659 |

TORPEDOES AND RELATED EQUIP

28 SSTD | 5,811 | 3,611 |

Insufficient justification for ADC non-recurring costs | (2,200) |
| 29 MK-46 TORPEDO | 284,901 | 284,901 |
| 30 ASW TARGETS | 13,833 | 13,833 |

MOD OF TORPEDOES AND RELATED EQUIP

31 MK-46 TORPEDO MODS | 110,286 | 110,286 |
| 32 MK-46 TORPEDO ADCAP MODS | 57,214 | 57,214 |
| 33 MARITIME MINES | 5,832 | 5,832 |

SUPPORT EQUIPMENT

34 TORPEDO SUPPORT EQUIPMENT | 97,581 | 97,581 |
| 35 ASW RANGE SUPPORT | 4,159 | 4,159 |

DESTINATION TRANSPORTATION

36 FIRST DESTINATION TRANSPORTATION | 4,106 | 4,106 |

GUNS AND GUN MOUNTS

37 SMALL ARMS AND WEAPONS | 16,030 | 16,030 |

MODIFICATION OF GUNS AND GUN MOUNTS

38 CIWS MODS | 37,147 | 37,147 |
| 39 GUN MOUNTS | 45,894 | 45,894 |
| 40 GUN MOUNT MODS | 74,427 | 74,427 |
| 41 LCS MODULE WEAPONS | 4,253 | 4,253 |
| 42 AIRBORNE MINE NEUTRALIZATION SYSTEMS | 6,662 | 6,662 |

SUPPORT AND REPAIR PARTS

45 SPARES AND REPAIR PARTS | 159,578 | 159,578 |

TOTAL WEAPONS PROCUREMENT, NAVY | 4,884,995 | 4,933,795 |
### PROCUREMENT OF AMMO, NAVY & MC
#### NAVY AMMUNITION
1. GENERAL PURPOSE BOMBS ........................................................................................................ 41,496 41,496
2. JDAM ........................................................................................................................................ 64,631 64,631
3. AIRBORNE ROCKETS, ALL TYPES .......................................................................................... 60,719 60,719
4. MACHINE GUN AMMUNITION .................................................................................................. 11,158 11,158
5. PRACTICE BOMBS ...................................................................................................................... 51,409 51,409
6. CARTRIDGES & CART ACTUATED DEVICES ......................................................................... 64,694 64,694
7. AIR EXPE NDABLE COUNTERMEASURES .................................................................................. 51,523 51,523
8. JATOS .......................................................................................................................................... 6,761 6,761
9. 5 INCH/54 GUN AMMUNITION ................................................................................................. 31,517 31,517
10. INTERMEDIATE CALIBER GUN AMMUNITION ..................................................................... 38,095 38,095
11. SMALL ARMS & LANDI NG PARTY AMMO ............................................................................... 40,636 40,626
12. SMALL ARMS & LANDING PARTY AMMO ............................................................................. 48,202 48,202
13. PYROTECHNICAL AND DEMOLITION ..................................................................................... 9,766 9,766
14. AMMUNITION LESS THAN $5 MILLION .................................................................................. 2,115 2,115

#### MARINE CORPS AMMUNITION
15. MORTARS ................................................................................................................................... 46,781 46,781
16. DIRECT SUPPORT MUNITIONS .............................................................................................. 119,504 119,504
17. COMBAT SUPPORT MUNITIONS ............................................................................................ 83,220 83,220
18. ARTILLERY MUNITIONS .......................................................................................................... 32,650 32,650
19. AMMO MODERNIZATION ......................................................................................................... 15,144 15,144
20. DIRECT SUPPORT MUNITIONS .............................................................................................. 59,539 59,539
21. ARTILLERY MUNITIONS .......................................................................................................... 4,142 4,142

#### TOTAL PROCUREMENT OF AMMO, NAVY & MC
- **Authorized Request:** 883,602
- **Senate:** 883,602

### SHIPBUILDING AND CONVERSION, NAVY
#### FLEET BALLISTIC MISSILE SHIPS
1. OHIO REPLACEMENT SUBMARINE ............................................................................................ 2,891,475 2,891,475
2. OHIO REPLACEMENT SUBMARINE AP ..................................................................................... 1,125,175 1,298,175

#### OTHER WARSHIPS
3. CARRIER REPLACEMENT PROGRAM ...................................................................................... 997,544 997,544
4. CVN-81 ......................................................................................................................................... 1,645,606 1,645,606
5. VIRGINIA CLASS SUBMARINE ................................................................................................... 2,334,993 2,560,293
6. VIRGINIA CLASS SUBMARINE AP ........................................................................................... 1,901,187 2,373,187
7. CVN REFUELING OVERHAULS ................................................................................................. 1,878,453 1,878,453
8. CVN REFUELING OVERHAULS AP ........................................................................................... 17,381 17,381
9. DDG 1000 ................................................................................................................................. 78,205 78,205
10. DDG-51 ...................................................................................................................................... 3,040,270 3,010,270
11. DDG-51 AP ................................................................................................................................. 29,297 464,297
12. LLTM for FY22 DDG-51s ............................................................................................................. 260,000
13. FFG-59ALP .............................................................................................................................. 1,053,123 1,053,123

#### AMPHIBIOUS SHIPS
14. LPD FLIGHT II ......................................................................................................................... 1,155,801 905,801
15. LPD FLIGHT II AP .................................................................................................................... 500,000
16. LPD-32 and LPD-33 program increase ...................................................................................... 250,000
17. LHA REPLACEMENT ................................................................................................................ 250,000
18. LHA-6 program increase ............................................................................................................. 250,000

#### AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST
19. TOWING, SALVAGE, AND RESCUE SHIP (ATS) ................................................................. 168,209 168,209
20. LCU 1700 .................................................................................................................................. 87,395 70,395
21. OUTFITTING ............................................................................................................................ 825,586 747,286
22. SERVICE CRAFT ..................................................................................................................... 249,781 275,281
23. LCAC SLEP ............................................................................................................................ 56,461 0

#### TOTAL COMPLETION OF PT SHIPBUILDING PROGRAMS ..................................................... 369,112 369,112

#### TOTAL SHIPBUILDING AND CONVERSION, NAVY ............................................................... 19,902,787 21,254,096

### OTHER PROCUREMENT, NAVY
#### SHIP PROPULSION EQUIPMENT
1. SURFACE POWER EQUIPMENT .................................................................................................. 11,738 11,738

#### GENERATORS
2. SURFACE COMBATANT HM&E ................................................................................................... 58,997 38,497

#### NAVIGATION EQUIPMENT
3. OTHER NAVIGATION EQUIPMENT ........................................................................................... 74,084 74,084

#### OTHER SHIPBOARD EQUIPMENT
4. SEIR, IMAGING AND SUPT EQUIP PROG ............................................................................... 204,806 204,806
5. DDG MOD ................................................................................................................................. 472,569 497,569

#### TOTAL OTHER PROCUREMENT, NAVY .............................................................................. 204,806 204,806

### OTHER PROCUREMENT, NAVY
#### SHIP PROPULSION EQUIPMENT
1. SURFACE POWER EQUIPMENT .................................................................................................. 11,738 11,738

#### GENERATORS
2. SURFACE COMBATANT HM&E ................................................................................................... 58,997 38,497

#### NAVIGATION EQUIPMENT
3. OTHER NAVIGATION EQUIPMENT ........................................................................................... 74,084 74,084

#### OTHER SHIPBOARD EQUIPMENT
4. SEIR, IMAGING AND SUPT EQUIP PROG ............................................................................... 204,806 204,806
5. DDG MOD ................................................................................................................................. 472,569 497,569

#### TOTAL OTHER PROCUREMENT, NAVY .............................................................................. 204,806 204,806
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**PROCUREMENT, MARINE CORPS**

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**ARTILLERY AND OTHER WEAPONS**

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**WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION**

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**OTHER SUPPORT**

**MODIFICATION KITS**

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**COMMAND AND CONTROL SYSTEMS**

**COMMON AVIATION COMMAND AND CONTROL SYSTEM (C) REPAIR AND TEST EQUIPMENT**

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**OTHER SUPPORT (TEL)**

**MODIFICATION KITS**

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**OTHER SUPPORT (NON-TEL)**

**ITEMS UNDER $5 MILLION (COMM & ELEC)**

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**INTELL/COMM EQUIPMENT (NON-TEL)**

**INTELL COMM EQUIPMENT (NON-TEL)**

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**OTHER SUPPORT (NON-TEL)**

**NEXT GENERATION ENTERPRISE NETWORK (NGEN)**

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**ENGINEER AND OTHER EQUIPMENT**

**COMMON POST SYSTEMS**

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**ENGINEER AND OTHER EQUIPMENT**

**RADIO SYSTEMS**

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**TACTICAL VEHICLES**

**UAS PAYLOADS**

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**TACTICAL FORCES**

**ENGINEER AND OTHER EQUIPMENT**

**GERALD R. FORD-GUIDED MISSILES**

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**TACTICAL VEHICLES**

**MOTOR TRANSPORT MODIFICATIONS**

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**ENGINEER AND OTHER EQUIPMENT**

**JOINT LIGHT TACTICAL VEHICLE**

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**ENGINEER AND OTHER EQUIPMENT**

**FAMILY OF TACTICAL TRAILERS**

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**ENGINEER AND OTHER EQUIPMENT**

**GENERAL PROPERTY**

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**ENGINEER AND OTHER EQUIPMENT**

**FAMILY OF CONSTRUCTION EQUIPMENT**

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**ENGINEER AND OTHER EQUIPMENT**

**OTHER SUPPORT**

**ITEMS LESS THAN $5 MILLION**

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**ENGINEER AND OTHER EQUIPMENT**

**MATERIALS HANDLING EQUIPMENT**

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**ENGINEER AND OTHER EQUIPMENT**

**TOTAL PROCUREMENT, MARINE CORPS**

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**ENGINEER AND OTHER EQUIPMENT**

**HARDWARE & SOFTWARE**

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**ENGINEER AND OTHER EQUIPMENT**

**TACTICAL FORCES**

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**ENGINEER AND OTHER EQUIPMENT**

**HARDWARE & SOFTWARE**

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**STRATEGIC AIRCRAFT**

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**AIRCRAFT**

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**TRAINING AIRCRAFT**

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**COMBAT RESCUE EQUIPMENT**

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**POST PRODUCTION SUPPORT**

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**CLASSIFIED PROGRAMS**

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**TOTAL AIRCRAFT PROCUREMENT, AIR FORCE**

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**MISSILE PROCUREMENT, AIR FORCE**

**MISSILE REPLACEMENT EQUIPMENT—BALLISTIC**

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**MISSILE SPARES AND REPAIR PARTS**

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**TOTAL MISSILE PROCUREMENT, AIR FORCE**

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**PROCUREMENT OF AMMUNITION, AIR FORCE**

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**PROCUREMENT, DEFENSE-WIDE**

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**MAJOR EQUIPMENT, DISA**

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**MAJOR EQUIPMENT, DHRA**

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**MAJOR EQUIPMENT, OSD**

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**MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY**

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**CLASSIFIED PROGRAMS**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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### MATERIAL HANDLING EQUIPMENT

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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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

#### Title 4201. Research, Development, Test, and Evaluation

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)
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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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Increase NGSW soldier touchpoints | (800) |

Joint Counter-UAS Office SOCOM advanced capabilities | (7,500) |
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### OPERATIONAL SYSTEMS DEVELOPMENT

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(As of August 5, 2020)
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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | 12,587,343 | 12,710,343 |
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**SYSTEM DEVELOPMENT & DEMONSTRATION**

- 98 0603208N TRAINING SYSTEM AIRCRAFT: 4,332
- 99 0603212N OTHER HELO DEVELOPMENT: 13,183
- Program increase for Attack and Utility Replacement Aircraft: (5,000)
- 100 0602424M AV-8B AIRCRAFT—ENG DEV: 20,054
- 101 0604213N STANDARDS DEVELOPMENT: 4,237
- 102 060216N MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT: 27,340
- 103 060216N P-3 MODERNIZATION PROGRAM: 606
- 104 060230N WARFARE SUPPORT SYSTEM: 9,065
- 105 060234N TACTICAL COMMAND SYSTEM: 97,065
- 106 060234N ADVANCED HAWKEYE: 309,373
- 107 060427N H-1 UPGRADES: 62,910
- 108 060261N ACOUSTIC SEARCH SENSORS: 47,162
- 109 060423N V-22: 132,624
- 110 060264N AIR CREW SYSTEMS DEVELOPMENT: 21,445
- 111 060268N EA-18: 106,131
- 112 060270N ELECTRONIC WARFARE DEVELOPMENT: 134,194
- 113 060273M EXECUTIVE HELO DEVELOPMENT: 99,321
- 114 060274N NEXT GENERATION JAMMER (NGJ): 477,680
- 115 060278N JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY): 232,818
- 116 060282N NEXT GENERATION JAMMER (NGJ) INCENTIVE II: 70,039
- 117 060479N SURFACE COMBATANT COMBAT SYSTEM ENGINEERING: 403,712
- 118 060471N LPD-17 CLASS SYSTEMS INTEGRATION: 945
- 119 060239N SMALL DIAMETER BOMB (SDB): 62,888
- 120 060260N STANDARD MISSILE IMPROVEMENTS: 388,225
- 121 060373N AIRBORNE MCM: 10,909
- 122 060378N NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING: 44,548
- 123 060419N ADVANCED SENSORS APPLICATION PROGRAM (ASAP): 13,873
- 124 060412N AIRCRAFT ADVANCED AIRWATER: 87,809
- 125 060503N SSN-688 AND TRIDENT MODERNIZATION: 93,907
- 126 060504N AIR CONTROL: 38,863
- 127 060412N SHIPBOARD AVIATION SYSTEMS: 9,593
- 128 060412N COMBAT INFORMATION CONVERSION: 1,172
- 129 060422N AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM: 78,319
- 130 060430N ADVANCED ARRESTING GEAR (AAG): 65,834
- 131 060433N NEW DESIGN SSN: 259,443
- 132 060432N SUBMARINE TACTICAL AIRCRAFT SYSTEM: 58,878
- 133 060432N AN/ByG-1 APB17 and APB19 testing delays: (–5,000)

**CONTRACTS**

- 134 060467N SHIP CONTRACT DESIGN/ LIVE FIRE T&E: 51,853
- Advanced degrading DDG-51 retrofit and demonstration: (14,900)
- 135 060457N NAVY TACTICAL COMMUNICATIONS RESOURCES: 3,853
- 136 06061N MINE DEVELOPMENT: 92,607
- 137 06061N LIGHTWEIGHT TORPEDO DEVELOPMENT: 146,012
- Project 1H2: HAACW operational testing delays: (–10,000)
- Project 318: Mk 54 Mod 2 contract delays: (–20,000)
- 138 06064N JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT: 8,383
- 139 06067M USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV: 33,784
- 140 060703N PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS: 8,599
- 141 060727N JOINT STANDOFF WEAPON SYSTEMS: 74,741
- 142 060755N SHIP SELF DEFENSE (DETECT & CONTROL): 157,490
- 143 060756N SHIP SELF DEFENSE (ENGAGE: HARD KILL): 121,761
- 144 060757N SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW): 89,373
- 145 060763N INTELLIGENCE ENGINEERING: 15,716
- 146 060771N MEDICAL DEVELOPMENT: 2,120
- 147 06077N NAVIGATION/ID SYSTEM: 50,180
- 148 06080M JOINT STRIKE FIGHTER (JSF)—EMD: 561
- 149 06080M JOINT STRIKE FIGHTER (JSF)—EMD: 250
- 150 06085N SSN(X): 1,000
- 151 06001SM INFORMATION TECHNOLOGY DEVELOPMENT: 974
- 152 06001SM INFORMATION TECHNOLOGY DEVELOPMENT: 356,173
- 153 06010SM ANTI-TAMPER TECHNOLOGY SUPPORT: 7,510
- 154 06021SM CH-53K RDTE: 406,406
- 155 060215N MISSION PLANNING: 86,134

**SUBTOTAL**

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**TOTAL OPERATIONAL SYSTEMS DEVELOPMENT**
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**SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS**

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**ADVANCED TECHNOLOGY DEVELOPMENT**

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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT**
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**SUBTOTAL ADVANCE COMPONENT DEVELOPMENT & PROTOTYPES** | 7,973,916 | 8,093,919 |

**SYSTEM DEVELOPMENT & DEMONSTRATION**

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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | 2,615,359 | 2,651,359 |

**MANAGEMENT SUPPORT**

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**SUBTOTAL MANAGEMENT SUPPORT** | 2,891,280 | 2,898,780 |

**OPERATIONAL SYSTEMS DEVELOPMENT**
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Air-to-air weapons development increase | [62,000] |

**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 21,466,080 | 21,506,160 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | 37,391,826 | 37,829,506 |

**RDT&E, SPACE FORCE**

**APPLIED RESEARCH**

**SPACE TECHNOLOGY** | 130,874 | 133,874 |

Small satellite mission operations facility | (3,000) |

**SUBTOTAL APPLIED RESEARCH** | 130,874 | 133,874 |

**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

**NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)** | 390,704 | 370,704 |

**MGUE program slip** | [–20,000] |

**EQUIPMENT WEATHER SYSTEM** | 131,000 | 131,000 |

**WEATHER SYSTEM FOLLOW-ON** | 83,384 | 83,384 |

**SPACE SITUATION AWARENESS SYSTEMS** | 33,359 | 33,359 |

**SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)** | 142,808 | 142,808 |

**SPACE CONTROL TECHNOLOGY** | 35,575 | 35,575 |

**PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)** | 114,390 | 114,390 |

**PROTECTED TACTICAL SERVICE (PTS)** | 265,178 | 265,178 |

**EVLIZED STRATEGIC SATCOM (ESS)** | 71,395 | 71,395 |

**SPACE RAPID CAPABILITIES OFFICE** | 150,518 | 151,518 |

**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | 1,311,311 | 1,291,311 |

**SYSTEM DEVELOPMENT & DEMONSTRATION**

**GPS III FOLLOW-ON (GPS III)** | 263,496 | 263,496 |

**SPACE SITUATION AWARENESS OPERATIONS** | 41,897 | 41,897 |

**COUNTERSPACE SYSTEMS** | 54,689 | 54,689 |

**WEATHER SYSTEM FOLLOW-ON** | 2,516 | 2,516 |

**SPACE SITUATION AWARENESS SYSTEMS** | 173,074 | 173,074 |

**ADVANCED EHIF MILSATCOM (SPACE)** | 138,257 | 138,257 |

**POLAR MILSATCOM (SPACE)** | 190,235 | 190,235 |

**NEXT GENERATION OPFR** | 2,318,864 | 2,318,864 |

**NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)** | 560,978 | 560,978 |

**NSSL Phase 3 integration activities program** | [30,000] |

**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | 3,744,016 | 3,774,016 |

**MANAGEMENT SUPPORT**

**SPACE TEST AND TRAINING RANGE DEVELOPMENT** | 20,281 | 20,281 |

**ACQ WORKFORCE—SPACE & MISSILE SYSTEMS** | 183,930 | 183,930 |

**SPACE & MISSILE SYSTEMS CENTER—MHA** | 9,765 | 9,765 |

**ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)** | 17,493 | 17,493 |

**SPACE TEST PROGRAM (STP)** | 26,541 | 26,541 |

**SUBTOTAL MANAGEMENT SUPPORT** | 258,510 | 258,510 |
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August 5, 2020

S5155

CONGRESSIONAL RECORD — SENATE

SSpencer on DSK126QN23PROD with SENATE

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)
Line

Program
Element

Item

42
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0603342D8Z
0603375D8Z
0603384BP
0603527D8Z
0603618D8Z
0603648D8Z
0603662D8Z
0603680D8Z

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0603680S

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TECHNOLOGY INNOVATION ......................................................................................................
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT ............
RETRACT LARCH .......................................................................................................................
JOINT ELECTRONIC ADVANCED TECHNOLOGY .....................................................................
JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .........................................................
NETWORKED COMMUNICATIONS CAPABILITIES ...................................................................
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Rapid prototyping using digital manufacturing ....................................................................
MANUFACTURING TECHNOLOGY PROGRAM ..........................................................................
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Steel performance initiative ..................................................................................................
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Lack of coordination .............................................................................................................
SENSOR TECHNOLOGY ..............................................................................................................
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HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM ...............................................
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SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT ...............................
SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...........................................................

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VerDate Sep 11 2014

FY 2021
Request

ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES
NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .........
WALKOFF ...................................................................................................................................
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Joint Storage Program ..........................................................................................................
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BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .......................................
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SPECIAL PROGRAMS—MDA ......................................................................................................
AEGIS BMD .................................................................................................................................
BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND
COMMUNICATI.
BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...........................................
MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) ..................................
REGARDING TRENCH ................................................................................................................
SEA BASED X-BAND RADAR (SBX) ..........................................................................................
ISRAELI COOPERATIVE PROGRAMS .......................................................................................
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BALLISTIC MISSILE DEFENSE TARGETS ...............................................................................
COALITION WARFARE ...............................................................................................................
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TECHNOLOGY MATURATION INITIATIVES .............................................................................
HYPERSONIC DEFENSE .............................................................................................................
ADVANCED INNOVATIVE TECHNOLOGIES ..............................................................................
Program decrease ..................................................................................................................
TRUSTED & ASSURED MICROELECTRONICS ..........................................................................
RAPID PROTOTYPING PROGRAM .............................................................................................
Lack of hypersonic prototype coordination efforts ...............................................................
DEFENSE INNOVATION UNIT (DIU) PROTOTYPING ...............................................................
DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT .........
HOMELAND DEFENSE RADAR—HAWAII (HDR-H) ...................................................................
Continue radar development ..................................................................................................
WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) ..........................................
JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.
LONG RANGE DISCRIMINATION RADAR (LRDR) ....................................................................
IMPROVED HOMELAND DEFENSE INTERCEPTORS ...............................................................
Contract award delay .............................................................................................................
BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST ...............................
AEGIS BMD TEST .......................................................................................................................
BALLISTIC MISSILE DEFENSE SENSOR TEST .......................................................................
LAND-BASED SM–3 (LBSM3) ......................................................................................................
PDI: Guam Defense System—systems engineering ................................................................
BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST ..............................................
ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS .........................................................
JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM ................................................
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05:28 Aug 06, 2020

Jkt 099060

PO 00000

Frm 00273

Fmt 4637

Sfmt 0634

E:\CR\FM\A05AU6.026

S05AUPT1

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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION**

603,808 606,808

**MANAGEMENT SUPPORT**

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**BUDGET AND PROGRAM ASSESSMENTS**

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**OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)**

316 316
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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT**

|               |                                   | 6,161,946 | 6,251,260 |

**SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS**

| 269  | 0608197V       | NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM | 121,676 | 121,676 |
| 270  | 06086180D8Z    | ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM                  | 16,848 | 16,848 |
| 271  | 0303130K       | GLOBAL COMMAND AND CONTROL SYSTEM                              | 86,756 | 86,756 |
| 272  | 0408083D8Z     | ALGORITHMIC AND CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM | 290,107 | 290,107 |

**SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS**

|               |                                   | 475,381 | 475,381 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW**

|               |                                   | 24,280,891 | 24,546,005 |

**OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT**

| 1  | 0605118OTE     | OPERATIONAL TEST AND EVALUATION                             | 100,021 | 100,021 |
| 2  | 0605131OTE     | LIVE FIRE TEST AND EVALUATION                               | 70,933 | 70,933 |
| 3  | 0605814OTE     | OPERATIONAL TEST ACTIVITIES AND ANALYSES                    | 39,136 | 66,136 |
|      |                 | Advanced satellite navigation receiver                      |       | [5,000]  |
|      |                 | Joint Test and Evaluation DWR funding restoration           |       | [22,000] |

**SUBTOTAL MANAGEMENT SUPPORT**

|               |                                   | 210,090 | 210,090 |

**TOTAL OPERATIONAL TEST & EVAL, DEFENSE**

|               |                                   | 210,090 | 210,090 |

**TOTAL RDT&E**

|               |                                   | 106,224,793 | 106,660,645 |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**(In Thousands of Dollars)**

**CONGRESSIONAL RECORD — SENATE**

**S5157**

**August 5, 2020**

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONINGENCY OPERATIONS.**
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**Note:** The table above includes various research, development, test, and evaluation programs for different military components and services. The figures represent the budget requests and authorized amounts for FY 2021.
### SEC. 4301. OPERATION AND MAINTENANCE

**Title XLI—Operation and Maintenance**

#### Sec. 4301. Operation and Maintenance

**Subtitle G, Operation and Maintenance**

**Line 1**

**Program Element**

**Item**

**FY 2021 Request**

**Senate Authorized**

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**Operation and Maintenance, Air Force Operating Forces**

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**Operation and Maintenance, Air Force Total**

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**Training and Recruiting**

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**Civil Military Programs**

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### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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**OPERATION & MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**

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### SEC. 4401. MILITARY PERSONNEL

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**TITLE XLIV—MILITARY PERSONNEL**

SEC. 4401. MILITARY PERSONNEL.
### SEC. 4401. MILITARY PERSONNEL

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TOTAL MILITARY PERSONNEL

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### SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS

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TOTAL MILITARY PERSONNEL

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### TITLE XLV—OTHER AUTHORIZATIONS

### SEC. 4501. OTHER AUTHORIZATIONS

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| 020 SUPPLIES AND MATERIALS | 95,712 | 5,712 |
| Air Force cash corpus for energy optimization | [10,000] | |
| One-time COVID-related carryover decrease | [-100,000] | |
| SUBTOTAL WORKING CAPITAL FUND, AIR FORCE | 191,424 | 101,424 |

| WORKING CAPITAL FUND, DEFENSE-WIDE | | |
| 020 SUPPLY CHAIN MANAGEMENT—DEF | 49,821 | 49,821 |
| SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE | 49,821 | 49,821 |

| WORKING CAPITAL FUND, DECA | | |
| 010 WORKING CAPITAL FUND, DECA | 1,146,660 | 1,146,660 |
| SUBTOTAL WORKING CAPITAL FUND, DECA | 1,146,660 | 1,146,660 |

TOTAL WORKING CAPITAL FUND

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| OPERATION & MAINTENANCE | | |
| 1 CHEM DEMILITARIZATION—O&M | 106,691 | 106,691 |
| SUBTOTAL OPERATION & MAINTENANCE | 106,691 | 106,691 |

| RESEARCH, DEVELOPMENT, TEST, AND EVALUATION | | |
| 2 CHEM DEMILITARIZATION—RDT&E | 782,193 | 782,193 |
| SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION | 782,193 | 782,193 |

| PROCUREMENT | | |
| 3 CHEM DEMILITARIZATION—PROC | 616 | 616 |
| SUBTOTAL PROCUREMENT | 616 | 616 |

TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION

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### SEC. 4501. OTHER AUTHORIZATIONS

#### (In Thousands of Dollars)

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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

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### SEC. 4601. MILITARY CONSTRUCTION

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**SUBTOTAL ARMY** .......................................................... 650,336 869,536
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**SUBTOTAL AIR FORCE** .................................................. 1,806,936
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**DEFENSE-WIDE**

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**ARMY NATIONAL GUARD**

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### SEC. 4601. MILITARY CONSTRUCTION

(\textit{In Thousands of Dollars})

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**SUBTOTAL ARMY NATIONAL GUARD**                                                                                     | **321,437** | **371,272** |

### AIR NATIONAL GUARD

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**SUBTOTAL AIR NATIONAL GUARD**                                                                                     | **64,214** | **93,714** |

### ARMY RESERVE

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**SUBTOTAL ARMY RESERVE**                                                                                             | **88,337** | **90,837** |

### NAVY RESERVE

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**SUBTOTAL NAVY RESERVE**                                                                                              | **94,335** | **105,315** |
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## SEC. 4601. MILITARY CONSTRUCTION

### (In Thousands of Dollars)

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## SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS

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## TITLE XLVII—DEPARTMENT OF ENERGY
### NATIONAL SECURITY PROGRAMS

### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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<td>21-D-510, HE Synthesis, Formulation, and Production Facility, PX</td>
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<td>Construction: 17-D-710, West end protected area reduction project, Y-12</td>
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<td>Defense Nuclear Nonproliferation</td>
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<td>Material management and minimization</td>
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<td>Conversion (formerly HEU Reactor Conversion)</td>
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<td>Total, Material management &amp; minimization</td>
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<td>Global material security</td>
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<td>International nuclear security</td>
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<tr>
<td>Domestic radiological security</td>
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### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

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<tr>
<th>Program</th>
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<tbody>
<tr>
<td><strong>Nuclear smuggling detection and deterrence</strong></td>
<td>159,749</td>
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<td><strong>Total, Global material security</strong></td>
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<td>Nonproliferation and arms control</td>
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<td>National Technical Nuclear Forensics R&amp;D</td>
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<td>Proliferation detection</td>
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<td>Nuclear detonation detection</td>
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<td>Nonproliferation fuels development</td>
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**Naval Reactors**

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<tr>
<td>Naval reactors development</td>
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<tr>
<td>Columbia-Class reactor systems development</td>
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<td>SSG Prototype refueling</td>
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<td>Naval reactors operations and infrastructure</td>
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<td>Program direction</td>
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<td><strong>Construction:</strong></td>
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<td>21-D-530 KL Steam and Condensate Upgrades</td>
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<td>14-D-901, Spent fuel handling recapitalization project, NRF</td>
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<td><strong>Total, Naval Reactors</strong></td>
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**Defence Environmental Cleanup**

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<td>Closure sites administration</td>
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<td>River corridor and other cleanup operations</td>
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<td>Central plateau remediation</td>
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<td>Richland community and regulatory support</td>
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<td>16-D-401 Modification of Waste Encapsulation and Storage Facility</td>
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<td><strong>Total, Richland</strong></td>
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**Office of River Protection**

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<td>Rad liquid tank waste stabilization and disposition</td>
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<td><strong>Construction:</strong></td>
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<td>18-D-16 Waste treatment and immobilization plant—LNL/Direct feed LAW</td>
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<td>15-D-409 Low activity waste pretreatment system, ORP</td>
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<td>01-D-16 D. High-level waste facility</td>
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<td>01-D-16 E. Pretreatment Facility</td>
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<td><strong>Total, Construction</strong></td>
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<td>ORP Low-level waste offsite disposal</td>
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<td><strong>Total, Office of River Protection</strong></td>
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**Idaho National Laboratory:**

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<td>ID Excess facilities R&amp;D</td>
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<td>Idaho community and regulatory support</td>
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<td><strong>Total, Idaho National Laboratory</strong></td>
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**NNSS sites and Nevada off-sites**

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<td>Lawrence Livermore National Laboratory</td>
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<td>LLNL Excess facilities R&amp;D</td>
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<td>Separations Process Research Unit</td>
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<td>Nevada Test Site</td>
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<td>Sandia National Laboratories</td>
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<td>Los Alamos National Laboratory</td>
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<tr>
<td>Execute achievable scope of work</td>
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**Oak Ridge Reservation:**
- OR Nuclear facility D & D ........................................ 109,077 109,077
- U233 Disposition Program ........................................ 45,000 45,000
- OR cleanup and waste disposition ................................ 58,000 58,000

**Construction:**
- 17-D–401 On-site waste disposal facility ............................ 22,380 22,380
- 14-D–403 Outfall 200 Mercury Treatment Facility .................. 20,500 20,500
- Subtotal, Construction: ............................................... 42,880 42,880
- OR community & regulatory support ................................. 4,930 4,930
- OR technology development and deployment ......................... 3,000 3,000
- Total, Oak Ridge Reservation ........................................ 262,887 262,887

**Savannah River Site:**
- Savannah River risk management operations ....................... 455,122 455,122
- SR community and regulatory support ............................... 4,989 4,989
- Radioactive liquid tank waste: Construction:
  - 20-D–402 Advanced Manufacturing Collaborative Facility (AMC) .... 25,000 25,000
  - 20-D–401 Saltstone Disposal Unit #10, 11, 12 .................... 0 0
  - 19-D–701 SR Security system replacement ............................ 0 0
  - 18-D–402 Saltstone disposal unit #89 ................................. 65,500 65,500
  - 17-D–402—Saltstone Disposal Unit #7 ............................... 10,716 10,716
- Total, Construction ................................................... 101,216 101,216
- Radioactive liquid tank waste stabilization ......................... 970,332 970,332
- Total, Savannah River Site ............................................ 1,551,659 1,551,659

**Waste Isolation Pilot Plant**
- Waste Isolation Pilot Plant ........................................... 323,260 323,260
- Construction:
  - 15-D–411 Safety significant confinement ventilation system, WIPP .... 50,000 50,000
  - 15-D–412 Exhaust shaft, WIPP ........................................... 10,000 10,000
- Total, Construction ................................................... 60,000 60,000
- Total, Waste Isolation Pilot Plant ................................... 383,260 383,260

**Program direction—Defense Environment Cleanup** .................. 275,280 275,280
**Program support—Defense Environment Cleanup** ...................... 12,979 12,979

**Radioactive liquid tank waste:**
- National waste repository .............................................. 320,361 320,361
- Total, OR cleanup and waste disposition ......................... 58,000 58,000
- OR Nuclear facility D & D ............................................. 109,077 109,077
- U233 Disposition Program ............................................. 45,000 45,000
- OR cleanup and waste disposition .................................... 58,000 58,000
- Subtotal, OR cleanup and waste disposition ......................... 1,054,727 904,727

**Office of Legacy Management:**
- Legacy management activities—defense ............................ 283,873 143,873
- Maintain current program administration .......................... (-150,000)
- Program direction ....................................................... 23,120 23,120
- Total, Office of Legacy Management ................................. 316,993 166,993

**Independent enterprise assessments:**
- Enterprise assessments .................................................. 258,411 258,411
- Program direction—Office of Enterprise Assessments .................. 54,635 54,635
- Total, Office of Enterprise Assessments .............................. 81,584 81,584

**Specialized security activities** ........................................ 258,411 258,411

**Office of Hearings and Appeals** ................................... 4,262 4,262

**Subtotal, Other defense activities** .................................. 1,054,727 904,727
- Use of prior year balances .............................................. 0 0
- Total, Other Defense Activities ........................................ 1,054,727 904,727
DIVISION E—ADDITIONAL PROVISIONS
TITLED I—PROCUREMENT
Subtitle B—Army Programs
SEC. 5111. REPORT ON CH-47F CHINOOK BLOCK-II UPGRADE.
(a) In General.—Not later than 180 days after the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Army, shall submit to the congressional defense committees a report containing the following elements:
(1) An analysis of the warfighting capability currently delivered by the Block I and Block II configurations of H-47 Chinook helicopters.
(2) An analysis of the feasibility and advisability of delaying or terminating the CH-47F Chinook Block-II upgrade.
(b) Limitation.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Navy Programs
SEC. 5211. LIMITATION ON ALTERATION OF NAVY PROGRAMS.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States shipbuilding and supporting vendor base constitute a national security imperative that is unique and must be protected;
(2) a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;
(3) without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and
(4) proposed reductions in the future-years defense program, if implemented as proposed, would not significantly deteriorate the warfighting capability to coordinate Federal programs and activities in support of sustainable chemistry, including budget coordination and support for public-private partnerships, as appropriate.
(b) Limitation.—
(1) The Navy can mitigate the reduction in warfighter capability to coordinate Federal programs and activities in support of sustainable chemistry.
(2) Other Procurement, Army, for Automated
(c) REPORT TO CONGRESS.—
(6) other appropriate organizations.

Subtitle B—Program Requirements, Restrictions, and Limitations
SEC. 5211. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.
(a) INCREASE.—Funds authorized to be appropriated in Fiscal Year 2020 (Public Law 116-92), including
(b) Offsetting those described in sections 3 and 4.
(c) Coordination With Existing Groups.—
In convening the Entity, the Director of the Office of Science and Technology Policy shall consider
(d) Agency Participation.—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. 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.
(e) Report to Congress.—
(1) In General.—Not later than 2 years after the date of enactment of this Act, the
Entity shall submit a report to the Commi-
mite on Environment and Public Works, the
Committee on Commerce, Science, and Trans-
portation, and the Committee on Appro-
priations, Energy and Commerce, and the Com-
mitee on Appropriations of the House of Rep-
resentatives. In addition to the elements described in subsections (a) and (b), the report shall include—
(A) a summary of federally funded, sustain-
able chemical research, development, demon-
stration, technology transfer, commercial-
ization, education, and training activities;
(B) a summary of the financial resources
allocated to sustainable chemistry initia-
tives by each participating agency;
(C) the current state of sustainable chem-
istry in the United States, including the role that Federal agencies are playing in supporting it;
(D) an analysis of the progress made to-
ward achieving the goals and priorities of this Act, and recommendations for future program activities;
(E) an evaluation of steps taken and future
strategies to avoid duplication of efforts,
streamline interagency coordination, facil-
itate information sharing, and spread best practices among participating agencies; and
(F) an evaluation of duplicative Federal
funding and duplicative Federal research in sustain-
able chemistry, efforts undertaken by the Entity to eliminate duplicative funding and
research, and recommendations on how to achieve these goals.

SEC. 5231. IMPROVING NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.

(a) In GENERAL.—The agencies particip-
ating in the Entity, as a priority, shall carry out
activities described in this section that promote
commercialization, including information on accom-
plishments and best practices;
(b) support for the integration of sustain-
able chemistry principles into industry and
chemical engineering curriculum and re-
search training, as appropriate to that level of education and training;
(C) support for collaborative sustainable chemistry principles into existing or new professional development opportunities for professionals including teachers, faculty, and individuals involved in laboratory re-
search (product development, materials spec-
ification and testing, life cycle analysis, and
management);
(D) as relevant to an agency’s programs, ex-
amine methods by which the Federal agen-
cies, 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 assess-
ments of chemistry processes or products;
(e) through programs identified by an agen-
cy, support (including through technical as-
sistance, participation, financial support, communications tools, awards, or other forms of support) outreach and dissem-
nation of sustainable chemistry advances such as non-Federal symposia, forums, con-
ferences, and publications in collaboration with, as appropriate, scientific, academic, sci-
entific and professional societies, and other
relevant groups;
(f) provide for public input and outreach to be integrated into the activities described in this section by the convening of public dis-
cussions, through mechanisms such as public meetings, consensus conferences, and edu-
cational events, as appropriate;
(g) within each agency, develop or adapt
metrics to track the outputs and outcomes of the programs supported by that agency; and
(h) incentivize or recognize actions that ad-
vance sustainable chemistry processes, prod-
oces, or products that include, through the
establishment of a nationally recognized awards program through the Environmental Protection Agency to identify, publicize, and celebrate innovations in sustainable chem-
istry and chemical industry;
(i) LIMITATIONS.—(Financial support pro-
vided under this section shall—
(1) be available only for pre-competitive activities; and
(2) not be used to promote the sale of a spe-
cific product, process, or technology, or to disperse a specific product, process, or technology.

SEC. 5232. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.

(a) In GENERAL.—The agencies particip-
ating in the Entity may facilitate and sup-
port, through financial, technical, or other assistance, the creation of partnerships between institutions of higher education, non-
governmental organizations, consortia, or companies across the value chain in the chemical industry, including small- and
medium-sized enterprises, to—
(1) create, develop, and design collaborative sustainable chemistry research, development, demonstration, technology transfer, and commercial-
ization programs;
(2) train students and retrain professional
scientists, engineers, and others involved in materials specification on the use of sustain-
able chemistry concepts and strategies by methods, including—
(A) developing or recognizing curricular
materials and courses for undergraduate and graduate levels and for the professional de-
velopment of scientists, engineers, and oth-
ers involved in materials specification; and
(B) publicizing the availability of profes-
sional 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 organiza-
tion.
(c) SELECTION OF PARTNERSHIPS.—In select-
ing partnerships for support under this sec-
tion, the agencies participating in the Entity shall also consider the extent to which the applicants are willing and able to dem-
strate evidence of support for, and com-
mitment to, the goals outlined in the stra-
tegic plan and report described in section

SEC. 5225. PRIORITIZATION.

In carrying out this Act, the Entity shall focus its support for sustainable chemistry activities on those that achieve, to the high-
est extent practicable, the goals outlined in the

SEC. 5226. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to alter or amend any State law or action with regard to sustainable chemistry, as defined by the State.

SEC. 5227. MAJOR MULTI-USER RESEARCH FACILI-

TATION.

Section 110 of the American Innovation and Competitiveness Act (42 U.S.C. 1862-2) is amended by striking (g)(2) and inserting the following:

(2) MAJOR MULTI-USER RESEARCH FACILITY

Support provided under this section shall—
(1) in paragraph (5), by striking ''; and'' and
inserting a semicolon;
(2) by redesignating paragraph (6) as para-
graph (10); and
(3) by inserting after paragraph (5) the fol-
lowing:
(6) supporting efforts to identify cyberse-
curity workforce skill gaps in public and pri-
ivate sectors;
(7) facilitating Federal programs to ad-
vance cybersecurity education, training, and
workforce development.

Subtitle D—Cyber Workforce Matters

SEC. 5233. IMPROVING NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.

(a) PROGRAM IMPROVEMENTS GENERALLY.—
Subsection (a) of section 401 of the Cyber-
security Enhancement Act of 2014 (15 U.S.C. 7401) is amended by—
(1) in paragraph (5), by striking ''and'' and
inserting a comma;
(2) by redesignating paragraphs (6) and (7)
as paragraphs (10) and (11); and
(3) by inserting after paragraph (5) the fol-
lowing:
(6) supporting efforts to identify cyberse-
curity workforce skill gaps in public and pri-
ivate sectors;
(7) facilitating Federal programs to ad-
vance cybersecurity education, training, and
workforce development.

(b) IN COORDINATION WITH THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF HOME-

LAND SECURITY.—The term ‘‘cybersecurity work-
force infrastructure’’ as defined by the

Subtitle E—Cybersecurity Workforce Infrastructure

SEC. 5234. IMPROVING NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.
“(9) advising the Director of the Office of Management and Budget, as needed in, developing metrics to measure the effectiveness and effect of programs and initiatives to advance the cybersecurity workforce; and

(b) STRATEGIC PLAN.—Subsection (c) of such section is amended—

((1) by striking ‘‘The Director’’ and inserting the following:

‘‘(1) IN GENERAL.—The Director’’; and

(2) by adding at the end the following:

‘‘(2) R EPORTS.—The Director shall submit to the Committee on Commerce, Science, and Transportation, not later than 540 days after the date of the enactment of this Act, a report on the activities of the regional alliance or partnership under the agreement, which may include training and education outcomes.

(3) AUDITS.—Each cooperative agreement under paragraph (3)(A), the Director shall give priority consideration to a regional alliance or partnership under the agreement, which may include training and education outcomes.

(4) TRANSFER OF SECTION.—Sec. 401 of such Act is amended—

(1) by striking the items relating to title IV and section 401; and

(2) R EPEAL.—Title IV of such Act is redesignated as section 303.

(c) CYBERSECURITY METRICS.—In carrying out subsection (a), the Director of the Office of Management and Budget may seek input from the National Institute of Standards and Technology, in coordination with the Department of Homeland Security, the Office of Personnel Management, and such agencies as the Director of the National Institute of Standards and Technology and the Secretary of Education may require.

(2) CONSEQUENCES.—The Director may require the regional alliance or partnership to carry out the cooperative agreement, which may include training and education programs in conjunction with providers of education and training, inclusion of programs that seek to include women, minorities, or veterans is encouraged.

(3) IN GENERAL.—Pursuant to section 2(b)(4) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(4)), the Director shall establish cooperative agreements between the National Initiative for Cybersecurity Education (NICE) of the Institute and regional alliances or partnerships for cybersecurity workforce programs and initiatives established under paragraph (1) identified under paragraph (1) identified under paragraph (2) and such agencies as the Director of the National Institute of Standards and Technology, in coordination with the Secretary of Defense, the Secretary of Homeland Security, and the Director of the Office of Personnel Management, use a consultative process with other Federal agencies, academia, and industry to identify multiple career pathways for cybersecurity workforce roles that can be used in the private and public sectors.

(2) REQUIREMENTS.—The Director shall ensure that the cybersecurity career pathways identified under paragraph (1) indicate the knowledge, skills, and abilities, including relevant education, training, apprenticeship, certifications, and other experiences, that—

(A) are needed by employers’ cybersecurity skill needs, including proficiency level requirements for the workforce; and

(B) educate an individual to be successful in entering or advancing in a cybersecurity career.

(3) EXCHANGE PROGRAM.—Consistent with requirements under chapter 37 of title 5, United States Code, the Director of the National Institute of Standards and Technology, in coordination with the Director of the Office of Personnel Management, may establish a voluntary program for the exchange of employees engaged in one of the cybersecurity work roles identified in the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800-181), or successor framework, by the National Institute of Standards and Technology and private sector institutions, including a nonpublic or commercial business, a research or educational institution, or an institution of higher education, as the Director of the National Institute of Standards and Technology considers feasible.

(d) PROFICIENCY TO PERFORM CYBERSECURITY TASKS.—Not later than 540 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security—

((1) by striking under paragraph (a) of such section, assess the scope and sufficiency of efforts to measure a learner’s capability to perform specific tasks found in the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800-181) at all proficiency levels; and

(2) by eliminating the words ‘‘to Congress a report—’’ and adding ‘‘(A) on the findings of the Director with respect to the assessment carried out under paragraph (1); and

(B) with recommendations for effective methods for measuring the cybersecurity proficiency of learners."

(e) STATUTORY METRICS.—Such section is further amended by adding at the end the following:

‘‘(1) IN GENERAL.—(A) The Director of the Office of Management and Budget may seek input from the National Institute of Standards and Technology, in coordination with the Department of Homeland Security, the Office of Personnel Management, and such agencies as the Director of the National Institute of Standards and Technology may require.

(B) With recommendations for effective methods for measuring the cybersecurity proficiency of learners.

(2) CYBERSECURITY METRICS.—In carrying out subsection (a), the Director of the Office of Management and Budget may seek input from the Director of the National Institute of Standards and Technology, in coordination with the Department of Homeland Security, the Office of Personnel Management, and such agencies as the Director of the National Institute of Standards and Technology and the Secretary of Education may require.

(3) TECHNIQUES.—The Director of the National Institute of Standards and Technology may require.

(4) REPORTS.—The Director shall submit to the Committee on Commerce, Science, and Transportation, not later than 540 days after the date of the enactment of this Act, a report on the activities of the regional alliance or partnership under the agreement, which may include training and education outcomes.

(5) AUDITS.—Each cooperative agreement under paragraph (3)(A) shall be subject to audit requirements under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards), or successor regulation.

(6) IN GENERAL.—Upon completion of a cooperative agreement under paragraph (1), the regional alliance or partnership shall submit report to Congress containing a description of the efforts of the regional alliance or partnership under the agreement, which may include training and education outcomes.

(7) TRANSFER OF SECTION.—Sec. 1(b) of such Act is amended—

(1) by striking the items relating to title IV and section 401; and

(2) by eliminating the words ‘‘Sec. 303. National cybersecurity awareness and education program.’’.)

(4) CONFORMING AMENDMENTS.—

S5187

August 5, 2020

CONGRESSIONAL RECORD — SENATE
SEC. 5232. DEVELOPMENT OF STANDARDS AND GUIDELINES FOR IMPROVING CYBERSECURITY WORKFORCE OF FEDERAL AGENCIES.

(a) In General.—Section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(a)) is amended—

(1) in paragraph (3), by striking ‘‘; and’’ and inserting ‘‘; or’’;

(2) in paragraph (4), by striking the period at the end and inserting ‘‘; and’’;

and

(b) PUBLICATION OF STANDARDS AND GUIDELINES ON CYBERSECURITY AWARENESS.—Not later than 3 years after the date of the enactment of this Act and pursuant to section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3), the Director of the National Institute of Standards and Technology shall publish standards and guidelines for improving cybersecurity awareness of employees and contractors of Federal agencies.

SEC. 5233. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking the period at the end and inserting ‘‘; or’’; and

(B) in paragraph (5), by striking the period at the end and inserting ‘‘; and’’;

and

(2) in paragraph (6), by striking ‘‘;’’ and inserting ‘‘; or’’;

and

(3) in subsection (m)—

(A) in paragraph (1), in the matter preceding ‘‘cybersecurity’’ and inserting ‘‘cybersecurity’’; and

(B) in paragraph (2), by striking ‘‘cybersecurity’’.

SEC. 5234. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in paragraph (1), by striking ‘‘or computer science’’ and inserting ‘‘or cybersecurity’’; and

(2) in paragraph (2), by inserting ‘‘, cybersecurity’’ after ‘‘computer science’’.

(d) SCHOLARSHIPS AND GRADUATE FELLOWSHIPS.—The Director of the National Science Foundation shall ensure that educators and mentors in fields relating to cybersecurity can incorporate master’s degrees and doctoral degrees in fields relating to cybersecurity are considered as applicants for scholarships and graduate fellowships under the Research Fellowship Program under section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1862).

SEC. 5235. CYBERSECURITY IN STEM PROGRAMS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

In carrying out any STEM education program of the National Aeronautics and Space Administration (referred to in this section as "NASA"), including a program of the Office of STEM Engagement, the Administrator of NASA shall, to the maximum extent practicable, encourage the development of cybersecurity education opportunities in such program.

SEC. 5237. CYBERSECURITY IN DEPARTMENT OF TRANSPORTATION PROGRAMS.

(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—Section 5055 of title 49, United States Code, is amended—

(1) in subsection (a)(2)(C), by inserting ‘‘in the matters described in subparagraphs (A) through (G) of section 6503(c)(1) after transportation leadership’’;

and

(2) in subsection (c)(3)(E)—

(A) by inserting ‘‘, including the cybersecurity implications of technologies relating to autonomous vehicles, including autonomous vehicles’’ after ‘‘autonomous vehicles’’; and

(B) by striking ‘‘The Secretary and’’.

(iii) the following:

(i) in general.—A regional university transportation center receiving a grant under this paragraph shall carry out research on centers described in subparagraphs (A) through (G) of section 6503(c)(1).

(ii) focused objectives.—The Secretary shall carry out the following:

(A) by inserting ‘‘, cybersecurity’’ before ‘‘computer science’’;

and

(b) TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.—Section 6503(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking ‘‘and’’ at the end;
(2) in subparagraph (F), by inserting “and” after the semicolon at the end; and
(3) by adding at the end the following:

“(G) reducing transportation cybersecurity risks;

SEC. 5238. NATIONAL CYBERSECURITY CHALLENGES.

(a) In general.—Title II of the Cybersecurity Research and Development Act of 2014 (15 U.S.C. 7451 et seq.) is amended by adding at the end the following:

“SEC. 205. NATIONAL CYBERSECURITY CHALLENGES.—

“(a) ESTABLISHMENT OF NATIONAL CYBERSECURITY CHALLENGES.—

“(1) In general.—To achieve high-priority breakthroughs in cybersecurity by 2025, the Secretary shall establish the following national cybersecurity challenges:

“(A) ECONOMICS OF A CYBER ATTACK.—Building more resilient systems that measurably and exponentially raise adversary costs of carrying out common cyber attacks.

“(B) CYBER TRAINING.—

“(i) Empowering the people of the United States with an appropriate and measurably sufficient level of digital literacy to make safe and secure decisions online.

“(ii) Developing a cybersecurity workforce with skills to protect and maintain information systems.

“(C) EMERGING TECHNOLOGY.—Advancing cybersecurity in response to emerging technology, such as artificial intelligence, quantum science, and next-generation communications technologies.

“(D) HUMAINING DIGITAL IDENTITY.—Maintaining a high sense of usability while improving the security and safety of online activity of individuals in the United States.

“(E) CYBER SECURITY RISks TO FEDERAL NETWORKS AND SYSTEMS, AND IMPROVING THE RESPONSE OF FEDERAL AGENCIES TO CYBERSECURITY INCIDENTS ON SUCH NETWORKS AND SYSTEMS.

“(2) COORDINATION.—In establishing the challenges under paragraph (1), the Secretary shall coordinate with the Secretary of Homeland Security on the challenges under subparagraphs (B) and (E) of such paragraph.

“(b) PURSUIT OF NATIONAL CYBERSECURITY CHALLENGES.—

“(1) In general.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Under Secretary of Commerce for Standards and Technology, shall commence efforts to pursue the national cybersecurity challenges established under subsection (a).

“(2) COMPETITIONS.—The efforts required by paragraph (1) shall include carrying out programs to award prizes, including cash and noncash prizes, competitively pursuant to the authorities and processes established under subsection (b) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) or any other applicable provision of law.

“(3) ADDITIONAL AUTHORITIES.—In carrying out paragraph (1), the Secretary may enter into and perform such other transactions as the Secretary considers necessary and on such terms as the Secretary considers appropriate.

“(4) COORDINATION.—In pursuing national cybersecurity challenges under paragraph (1), the Secretary shall coordinate with the following:

“(A) The Director of the National Science Foundation;

“(B) the Secretary of Homeland Security;

“(C) the Director of the Defense Advanced Research Projects Agency;

“(D) the Director of the Office of Science and Technology Policy;

“(E) the Director of the Office of Management and Budget.

“(F) The Administrator of the General Services Administration.


“(H) The heads of such other Federal agencies as the Secretary considers appropriate for purposes of this section.

“(I) SOLICITATION OF ACCEPTANCE OF FUNDS.—

“(1) IN GENERAL.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Secretary shall request and accept funds from other Federal agencies to carry out this section.

“(2) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to require any person or entity to provide funds or otherwise participate in an effort or competition under this section.

“(c) RECOMMENDATIONS.—

“(1) IN GENERAL.—In carrying out this section, the Secretary of Commerce shall designate an advisory council to seek recommendations.

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

“(A) A scope for efforts carried out under subsection (b).

“(B) Metrics to assess submissions for prizes under competitions carried out under subsection (b) as the submissions pertain to the national cybersecurity challenges established under subsection (a).

“(C) NO ADDITIONAL COMPENSATION.—The Secretary may not provide additional compensation, except for travel expenses, to a member of the advisory council designated under paragraph (1) for participation in the advisory council.

“(d) CONTESTING AMENDMENTS.—Section 201(a)(1) of such Act is amended—

“(1) by inserting after the item relating to section 201(a)(1) the following:

“(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things;

“(3) by inserting after subparagraph (L); and

“(g) CLERICAL AMENDMENT.—The table of sections for this title is amended by inserting after the item relating to section 5234 the following:

“Sec. 205. National Cybersecurity Challenges.”

SEC. 5239. INTERNET OF THINGS.

(a) DEFINITIONS.—In this section:

“(1) COMMISSION.—The term ‘Commission’ means the Federal Communications Commission.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

“(3) STEERING COMMITTEE.—The term ‘steering committee’ means the steering committee established under subsection (b).

“(4) WORKING GROUP.—The term ‘working group’ means the working group convened under subsection (b).

“(5) STEERING COMMITTEE.—The term ‘steering committee’ means the steering committee established under subsection (b).

“(A) In general.—The Secretaries shall convene a working group of Federal stakeholders for the purpose of providing recommendations for rulemaking and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

“(B) DUTIES.—The working group shall—

“(a) identify relevant stakeholders, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

“(b) consider policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this section;

“(c) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

“(d) examine—

“(i) how Federal agencies can benefit from utilizing the Internet of Things;

“(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

“(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

“(iv) any additional security measures that Federal agencies may need to take—

“(1) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

“(2) enhance the security and reliability of Federal systems against cyber threats to the Internet of Things; and

“(e) carry out the examinations required under subclauses (i) and (II) of subparagraph (D)(iv), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

“(3) AGENCY REPRESENTATIVES.—In convening the working group under paragraph (1), the Secretary shall have discretion to appoint representatives from Federal agencies and departments as appropriate and shall specifically consider seeking representation from—

“(i) the Department of Commerce, including—

“(1) the National Telecommunications and Information Administration;

“(2) the National Institute of Standards and Technology; and

“(3) the National Oceanic and Atmospheric Administration;

“(ii) the Department of Transportation;

“(iii) the Department of Homeland Security;

“(iv) the Office of Management and Budget;

“(v) the National Science Foundation;

“(vi) the Commission;

“(vii) the Federal Trade Commission;

“(viii) the Office of Science and Technology Policy;

“(ix) the Department of Energy; and

“(x) the Federal Energy Regulatory Commission.

“(4) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

“(A) the steering committee;

“(B) information and communications technology manufacturers, suppliers, service providers, and others;

“(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

“(D) small, medium, and large businesses;

“(E) think tanks and academia;

“(F) nonprofit organizations and consumer groups;

“(G) security experts;

“(H) rural stakeholders; and

“(I) other stakeholders with relevant expertise, as determined by the Secretary.

“(5) STEERING COMMITTEE.—
(A) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(b) DUTIES.—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grants programs, rules, or other policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(I) traffic and transit technologies;

(II) augmented logistics and supply chains;

(III) sustainable infrastructure;

(IV) precision agriculture;

(V) environmental monitoring;

(VI) public safety; and

(VII) health care;

(iii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(iv) policies, programs, or multi-stakeholder activities—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(iv) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(v) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(vi) the international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party;

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of Federal Government with expertise relating to the Internet of Things, including—

(i) information and communications technology companies, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(vi) nonprofit organizations and consumer groups;

(vi) security experts;

(vii) representatives of labor; and

(viii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(E) FOOD SECURITY STRATEGY ON ARTIFICIAL INTELLIGENCE.—

(i) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee.

(ii) SUBMISSION.—The steering committee shall submit the report submitted under subparagraph (B) to—

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

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

(iii) any other committees of Congress, upon request from any such committee, to whom the working group submits the report under paragraph (6).

(F) REPRESENTATIVES OF ANY OTHER AGENCIES, ENTITIES, OR PERSONS.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee.

(i) SUBMISSION.—The steering committee shall submit a copy of the report submitted under paragraph (5)(D) to—

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

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

(iii) any other committee of Congress, upon request from any such committee, to whom the working group submits the report under paragraph (6).

(G) DEEPFAKE REPORT.

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology, shall produce a robust and sustained energetics material technology strategy.

(ii) REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(i) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comments on the current, as of the date of enactment of this Act, and future spectrum needs to support the growing Internet of Things.

(ii) REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

(iii) CONGRESSIONAL RECORD.—The report required by subparagraph (B) shall include an assessment of the effect of each of the following:

(1) The need for the Department of Defense to develop an artificial intelligence and machine learning strategy.

(2) Any efforts to date on the development of such a strategy.

(3) The ways in which an artificial intelligence standards strategy will improve the national security.

(4) How the Secretary intends to collaborate with—

(A) the Director of the National Institute of Standards and Technology;

(B) the Secretary of Homeland Security;

(C) the intelligence community;

(D) the Secretary of State;

(E) representatives of private industry, specifically representatives of the defense industrial base; and

(F) representatives of any other agencies, entities, organizations, or persons the Secretary considers appropriate.

(iii) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(iv) INDEPENDENT ADVICE.—The Secretary of Homeland Security, or the under Secretary for Science and Technology, shall produce a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

(iv) DEEPFAKE REPORT.—The report required by subparagraph (B) shall include an assessment of the effect of each of the following:
(G) a description of the technological counter-measures that are, or could be, used to address concerns with digital content forgy technology; and

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

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

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

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

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

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

APPLICABILITY OF FOIA.—Nothing in this section, or in a report produced under this section, shall be construed to allow the disclosure of information or a record that is exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ‘‘Freedom of Information Act’’).

APPLICABILITY OF THE PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ‘‘Paperwork Reduction Act’’), shall not apply to this section.

SEC. 5244. CISA DIRECTOR.

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

(1) in section 5313, by inserting after the item relating to ‘‘Administrator of the Transportation Security Administration’’ the following:

‘‘Director, Cybersecurity and Infrastructure Security Agency.’’; and

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

SEC. 5245. AGENCY REVIEW.

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

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


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

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

(a) support the national risk management mission;

(b) support public and private-sector cybersecurity;

(C) promote public-private integration; and

(D) provide situational awareness of cyber-threats.

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

(A) a determination of the appropriate size and composition of personnel to accomplish the missions of the Cybersecurity and Infrastructure Security Agency, as well as the recommendations detailed in the report issued by the Cyberspace Solarium Commission under section 1662(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–267);

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

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

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

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

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

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

APPLICABILITY OF FOIA.—Nothing in this section, or in a report produced under this section, shall be construed to allow the disclosure of information or a record that is exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ‘‘Freedom of Information Act’’).

APPLICABILITY OF THE PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ‘‘Paperwork Reduction Act’’), shall not apply to this section.

SEC. 5246. GENERAL SERVICES ADMINISTRATION REVIEW.

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

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

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

(b) SUBMISSION OF REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Cybersecurity and Infrastructure Security Agency shall submit a report to Congress detailing the results of the assessments required under subsection (b), including recommendations to address any findings.

SEC. 5371. INCREASE OF AMOUNTS AVAILABLE TO MARINE CORPS FOR BASE OPERATIONS AND SUPPORT.

(a) INCREASE OF BASE OPERATIONS AND SUPPORT.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby increased by $71,000,000, with the amount of the reduction to be derived from SAG 1A1.

(b) MODIFICATION KIT PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2021 for procurement for the Marine Corps is hereby reduced by $3,100,000, with the amount of the reduction to be derived from Line 3 of the modification of procurement.

(c) DIRECT SUPPORT MUNITIONS.—The amount authorized to be appropriated for fiscal year 2021 for procurement for the Marine Corps is hereby reduced by $39,600,000, with the amount of the reduction to be derived from Line 7, Direct Support Munitions.

SEC. 5372. MODERNIZATION OF CONGRESSIONAL REPORTS PROCESS.

(a) INCREASE IN O&M, DEFENSE-WIDE ACTIVITIES.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance, Defense-wide activities, for the Secretary of Defense for modernization of the congressional reports process is hereby increased by $2,000,000, with the amount of the increase to be available for operation and maintenance, Defense-wide activities.
with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of capability within the National Guard through which a National Guard of a State remotely provides cybersecurity technical assistance in training, preparedness, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an “administering Secretary” for purposes of, and any reference in this section to “the pilot program” shall be treated as a reference to the pilot program conducted by such Secretary.

(C) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (d), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capabilities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platforms, technologies, and capabilities of a National Guard that provides the capability described in subsection (b);

and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

SEC. 5596. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting “(a) QUESTIONS REQUIRED.—

"(1) the text of the questions included in surveys under subsection (a); and

(2) in paragraph (1), by inserting ‘‘, racist, anti-Semitic, or supremacist’’ after ‘‘extremist’’; and

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

(b) REPORT.—Not later than March 1, 2021, the Secretary shall submit to Congress a report including—

(1) the text of the questions included in surveys under subsection (a); and

(2) which surveys include such questions.’’. 

SEC. 5597. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNECTIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the status of the implementation of the requirements of section 597(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 11212 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SEC. 5598. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARD BUREAU OF CYBERSECURITY TECHNICAL ASISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) INEFFECTIVENESS OF SECTION 590.—Section 590 shall have no force or effect.

(b) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an “administering Secretary” for purposes of, and any reference in this section to “the pilot program” shall be treated as a reference to the pilot program conducted by such Secretary.

(C) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (d), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capabilities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platforms, technologies, and capabilities of a National Guard that provides the capability described in subsection (b);

and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

SEC. 5596. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting “(a) QUESTIONS REQUIRED.—

"(1) the text of the questions included in surveys under subsection (a); and

(2) in paragraph (1), by inserting ‘‘, racist, anti-Semitic, or supremacist’’ after ‘‘extremist’’; and

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

(b) REPORT.—Not later than March 1, 2021, the Secretary shall submit to Congress a report including—

(1) the text of the questions included in surveys under subsection (a); and

(2) which surveys include such questions.”. 

SEC. 5597. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNECTIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the status of the implementation of the requirements of section 597(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 11212 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SEC. 5598. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARD BUREAU OF CYBERSECURITY TECHNICAL ASISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) INEFFECTIVENESS OF SECTION 590.—Section 590 shall have no force or effect.

(b) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an “administering Secretary” for purposes of, and any reference in this section to “the pilot program” shall be treated as a reference to the pilot program conducted by such Secretary.

(C) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (d), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capabilities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platforms, technologies, and capabilities of a National Guard that provides the capability described in subsection (b);

and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.
platform, technology, or capability to provide the capability described in subsection (b) under the pilot program.

(b) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(c) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—

(1) COMMAND AUTHORITIES.—Nothing in a pilot program under subsection (b) may be construed as altering or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE COMPACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(h) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(i) TSFR.—A pilot program under subsection (b) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(j) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include—

(A) a description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the pilot program;

(B) a summary of the assessment performed prior to the commencement of the pilot program in accordance with subsection (c);

(C) a summary of the evaluation metrics established in accordance with subsection (h);

(D) an assessment of the effectiveness of the pilot program, and of the capability described in subsection (b) under the pilot program;

(E) a description of costs associated with the implementation and conduct of the pilot program;

(F) the recommendation as to the termination or extension of the pilot program, or the making of the pilot program permanent with an expansion nationwide.

(G) an estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F);

(H) such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary shall, in consultation with the Chief of the National Guard Bureau under the pilot program, submit to the appropriate committees of Congress a report on the findings of the evaluation of the pilot program.

(k) STATE DEFINED.—In this section, the term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Provisions

SEC. 5707. PILOT PROGRAM TO PAY RECEIPT OF NONGENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER TRICARE PHARMACY BENEFITS PROGRAM.

The reference in section 707(c) to section 174(f)(9)(C)(ii) of title 10, United States Code, is deemed to be a reference to section 174(f)(9)(C)(iv) of title 10, United States Code.

Subtitle B—Health Care Administration

SEC. 5723. AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY REQUIREMENTS DURING NATIONAL EMERGENCIES FOR PROVISION OF HEALTH CARE.

Section 723 and the amendments made by that section shall have no force or effect.

Subtitle C—Reports and Other Matters

SEC. 5741. STUDY AND REPORT ON SURGE CAPACITY OF THE DEPARTMENT OF DEFENSE TO ESTABLISH NEGATIVE AIR ROOM CONTAINMENT SYSTEMS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) STUDY.—The Director of the Defense Health Agency shall conduct a study on the use, scalability, and military requirements for commercial off the shelf negative air pressure room containment systems in order to improve pandemic preparedness at military medical treatment facilities worldwide, to include an assessment of whether such systems would improve the readiness of the Department of Defense to expand capacity and capacity to evaluate and treat patients at such facilities during a pandemic.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the study conducted under subsection (a).

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

Subtitle A—Industrial Base Matters

SEC. 5801. REPORT ON USE OF DOMESTIC NONAVAILABILITY DETERMINATIONS.

Not later than September 30, 2021, and annually thereafter, the Secretary of Defense shall submit a report to congressional defense committees—

(1) describing in detail the use of any waiver or exception to the requirements of section 2534 of title 10, United States Code, relating to domestic nonavailability determinations;

(2) providing reasons for the use of each such waiver or exception; and

(3) providing an assessment of the impact on the use of such waivers or exceptions due to the COVID–19 pandemic and associated challenges with investments in domestic sources.

SEC. 5802. REPORT ON THE EFFECT OF THE DEFENSE SUPPLY AND MANUFACTURING COMMUNITIES SUPPORT PROGRAM ON THE DEFENSE SUPPLY CHAIN.

Not later than September 30, 2021, the Secretary of Defense shall submit to Congress a report evaluating the effect of the Defense Manufacturing Communities Support Program on the defense supply chain. The evaluation should consider the program’s effect on—

(1) the diversification of the supply chain;

(2) procurement costs; and

(3) efficient procurement processes.

SEC. 5803. IMPROVING IMPLEMENTATION OF POLICY PERTAINING TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 803(d)(2) is deemed amended as follows:

(1) Subparagraph (A) of such section is deemed to read as follows:

(A) analysis of the national security impacts, costs, and benefits to the United States and allies of the inclusion of such additional member nation in the national technology and industrial base, including criticality to program and mission accomplishment;”;

(2) in the stem of subparagraph (B) of such section, “costs,” is deemed to be read “impacts, costs,”;

(3) in clausus (ii) of subparagraph (B) of such section “base,” is deemed to be read “base, including costs to reconstitute capability should such capability be lost to competition”;

SEC. 5808. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

Section 808 is deemed to include at the end the following:

“(b) SENSE OF CONGRESS ON MITIGATING RISKS OF RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANUFACTURING FOR PRINTED CIRCUIT BOARDS.—It is the sense of Congress that—

(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and

(2) such provisions are intended to augment, rather than reduce or supersede, current efforts to reduce and mitigate such risks.”;

SEC. 5812. MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Notwithstanding the amendments made by section 812—

(1) the subparagraph (A) proposed to be included in subsection (a)(2) of section 2534 of title 10, United States Code, shall not be included;

(2) subsection (b) of such section is deemed to read as follows:

“(B) MANUFACTURER IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—A manufacturer meets the requirements of this subsection if the manufacturer is part of the national technology and industrial base.”;

and

(3) the amendment to subsection (h) of such section is deemed to insert the following: “subsection (a)(2)’;

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

SEC. 5841. WAIVERS OF CERTAIN CONDITIONS FOR PROGRESS PAYMENTS UNDER CERTAIN CONTRACTS DURING THE COVID–19 NATIONAL EMERGENCY.

During the national emergency declared under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (commonly referred to as “COVID–19”), the Secretary of Defense may waive section 2307(e)(2) of title 10, United States Code, with respect to progress payments for any undefined contract.

Subtitle E—Small Business Matters

SEC. 5871. OFFICE OF SMALL BUSINESS AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended, in the matter preceding paragraph (1)—

(1)
SEC. 5873. DISASTER DECLARATION IN RURAL "American Samoa, and the Commonwealth of American Samoa" and inserting the wealth of the Northern Mariana Islands.''; shall not apply to an applicant that has its lowing new sentence: ''The previous sentence (b) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Administrator shall allow a small business Administration shall issue regulations to carry out the amendment made by subsection (a).'' (c) GA REPORT.—In this sub- section, the term ‘‘rural area’’ means an area with a population of less than 200,000 outside an urbanized area.

SEC. 5875. MAXIMUM AWARD PRICE FOR SOLE TRACTIONS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended— (a) in section 19(i)(1)(A) of title 12, Code of Federal Regulations, or any successor regulation, the Administrator shall require the management of each Office of Small Business and Disadvantaged Business Utilization.

SEC. 5876. ANNUAL REPORTS REGARDING THE

The Administrator of the Small Business Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on— (1) any unique challenges that communities in rural areas face compared to communities in metropolitan areas when seeking to obtain disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and (b) legislative recommendations for improving access to disaster assistance for communities in rural areas.

SEC. 5874. TEMPORARY EXTENSION FOR SBIR PAR- TICIPANTS.

The Administrator of the Small Business Administration shall extend the Small Business Innovation Research Act of 1982 (15 U.S.C. 657a) participating in the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) on the date of enactment of this section to extend such participation by a period of 1 year.

SEC. 5853. M A XIMUM AWARD PRICE FOR SOLE SOURCE MANUFACTURING CON- TRACTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended— (a) in section 8 (15 U.S.C. 637)— (A) in subsection (a)(1)(D)(i)(II), by striking "$5,000,000" and inserting "$7,000,000"; and (B) in subsection (m)— (i) in paragraph (7)(B)(i), by inserting "and $7,000,000" after "$5,000,000"; (ii) in paragraph (8)(B)(i), by striking "$6,500,000" and inserting "$7,000,000"; and (iii) in paragraph (10), by striking 
SEC. 5856. ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPART- MENT OF DEFENSE.

(a) DEF INITION.—In this section— (1) the term ‘‘SBIR’’ has the meaning given in section 3(a) of the Small Business Act (15 U.S.C. 638(e)(6)(B)) to increase the number of Phase II SBIR awards by 200 awards for fiscal year 2021; and (2) the term ‘‘Secretary’’ means the Secretary of Defense.

(b) REPORTS REQUIRED.—Not later than 90 days after the date of enactment of this Act, and not later than 120 days after the end of each fiscal year that begins after that date of enactment, the Secretary, after consultation with the Secretary of Energy, shall submit to the Senate and the House of Representatives a report on— (i) the ways in which the Secretary, as the date on which the report is submitted, is using incentives to Department of Defense program managers under section 9(g)(6)(B) of the Small Business Act (15 U.S.C. 638(y)(6)(B)) to increase the number of Phase II SBIR awards by 200 awards for fiscal year 2021; and (ii) the extent to which the Department of Defense has developed simplified and standarized procedures and forms for obtaining contracts through the agency for Phase I, Phase II, and Phase III SBIR awards, as required under section 9(b)(2)(A)(i) of the Small Business Act (15 U.S.C. 638(h)(2)(A)(i)); and (3) with respect to each report submitted under this section after the submission of the first such report, the extent to which any incentives described in this section and im- plemented by the Secretary have resulted in an increased number of Phase II contracts under the SBIR program of the Department of Defense leading to technology transition into programs of record or fielded systems.

SEC. 5857. SMALL BUSINESS LOANS FOR NON- PROFIT CHILD CARE PROVIDERS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

(10) NONPROFIT CHILD CARE PROVIDERS.— (A) DEFINITION.—In this paragraph, the term ‘‘covered nonprofit child care provider’’ means an organization— (i) that— (I) is in compliance with licensing requirements for child care providers of the State in which the organization is located; (II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and (III) is primarily engaged in providing child care for children from birth to compul- sory school age; (ii) for which each employee and regular volunteer complies with the criminal back- ground check requirements under section 658H(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9868(b)); and (iii) that may— (I) provide care for school-age children outside of school hours or outside of the school year; or (II) offer preschool or prekindergarten educational programs.

(B) ELIGIBILITY FOR LOAN PROGRAMS.— Notwithstanding any other provision of this subsection, a covered nonprofit child care provider shall be deemed to be a small business concern for purposes of any program under this Act or the Small Business Invest- ment Act of 1980 (15 U.S.C. 661 et seq.) under which— (i) the Administrator may make loans to small business concerns; (ii) the Administrator may guarantee timely payment of loans to small business concerns; or
“(iii) the recipient of a loan made or guaranteed by the Administrator may make loans to small business concerns.”.

Subtitle G—Other Matters

SEC. 5891. LISTING OF OTHER TRANSACTION AUTHORITY CONSORTIA.

Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall maintain on the government-wide point of entry for contracting opportunities, Beta.SAM.gov (or any successor system), a list of the consortia used by the Department of Defense to announce or otherwise make available contracting opportunities using other transaction authority (OTA).

SEC. 5892. REPORT RECOMMENDING DISPOSITION OF NOTES TO CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) In General.—Not later than March 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report recommending the disposition of provisions of law found in the notes to the following sections of title 10, United States Code:

(1) Section 2313.
(2) Section 2346.
(3) Section 4232.

(b) Elements.—The report required under subsection (a) shall include:

(1) for each provision of law included as a note to a section listed in such subsection, a recommendation whether such provision—
(A) should be repealed because the provision is no longer operative or is otherwise obsolete;
(B) should be codified as a section to title 10, United States Code, because the section has, and anticipated to continue to have in the future, significant relevance; or
(C) should remain as a note to such section; and
(2) any legislative proposals appropriate to improve the intent and effect of the sections listed in such subsection.

(c) Technical Corrections.—(1) Section 2926(a) of title 10, United States Code, is amended by striking “Assistant Secretary of Defense for Research and Engineering” both places it appears and inserting “Under Secretary of Defense for Research and Engineering”.

(2) Section 804(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2926 note) is amended by striking “The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics,” and inserting “The Under Secretary of Defense for Acquisition and Sustainment”.

SEC. 5893. APPLICABILITY OF REPORTING REQUIREMENT RELATED TO NOTIONAL MILESTONES AND STANDARD TIMELINES FOR FOREIGN MILITARY SALES.

Section 887 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91, 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and
(2) by inserting after subsection (b) the following new subsection:

“(c) Applicability.—The reporting requirements under this section apply only to foreign military sales processes within the Department of Defense.”.

SEC. 5894. ADDITIONAL REQUIREMENTS RELATED TO MITIGATING RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE OF DEPARTMENT OF DEFENSE CONTRACTORS.

(a) Compliance Assessment.—Subparagraph (A) of paragraph (2) of section 847(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new clause:

“(v) A requirement for the Secretary to require reports and conduct examinations on a periodic basis of covered contractors and subcontractors in order to assess compliance with the requirements of this section.

(b) Additional Requirements for Responsibility Determinations.—Subparagraph (B) of such paragraph is amended—

(1) in clause (i) by striking ‘‘, and’’ and inserting a semicolon;
(2) by redesignating clause (iii) as clause (iv); and
(3) by inserting after clause (ii) the following new clause:

“(iii) procedures for appropriately responding to changes in contractor or subcontractor beneficial ownership status based on changes in disclosures of their beneficial ownership relating to whether they are under FOCI and based on the reports and examinations required by subparagraph (A)(v); and

(c) Timelines and Milestones for Implementation.—

(1) Implementation Plan.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan and schedule for implementation of the requirements of section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), including—

(A) a timeline for issuance of regulations, development of training for appropriate officials, and development of systems for reporting of beneficial ownership and FOCI by contractors and subcontractors;

(B) designation of officials and organizations responsible for execution; and

(C) interim milestones to be met in implementing the plan.

(2) Revision of Regulations, Directives, Guidance, Training, and Policies.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise relevant directives, guidance, training, and policies, including revising the Defense Federal Acquisition Regulation Supplement as needed to implement section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as amended by this section.

TITLE LX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

SEC. 5895. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON VULNERABILITIES OF THE DEPARTMENT OF DEFENSE RESULTING FROM OFFSHORE TECHNICAL SUPPORT CALL CENTERS.

(a) Report Required.—Not later than 180 days after the date of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on vulnerabilities in connection with the provision of services by offshore technical support call centers to the Department of Defense.

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

(1) A description and assessment of the location of all offshore technical support call centers.

(2) A description and assessment of the types of information shared by the Department with foreign nationals at offshore technical support call centers.

(3) An assessment of the extent to which access to such information by foreign nationals creates vulnerabilities to the information technology network of the Department.

(c) Offshore Technical Support Call Centers Defined.—In this section, the term “offshore technical support call center” means a call center that—

(1) is physically located outside the United States;

(2) employs individuals who are foreign nationals; and

(3) may be contacted by personnel of the Department to provide technical support relating to technology used by the Department.

TITLE LXI—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 6001. UNDER SECRETARY OF DEFENSE (COMPTROLLER) REPORTS ON IMPROVING THE BUDGET JUSTIFICATION AND RELATED MATERIALS OF THE DEPARTMENT OF DEFENSE.

(a) Reports Required.—Not later than April 1 of each of 2020 through 2023, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on improving the following:

(1) Modernization of covered materials, including the following:

(A) Updating the format of such materials in order to account for significant improvements in document management and data visualization;

(B) Expanding the scope and quality of data included in such materials.

(2) Streamlining of the production of covered materials within the Department of Defense.

(3) Transmission of covered materials to Congress.

(4) Availability of adequate resources and capabilities to permit the Department to integrate changes to covered materials together with its submittal of current covered materials.

(5) Promotion of the flow between the Department and the congressional defense committees of other information required by Congress for its oversight of budgeting for the Department and the future-years defense programs.

(b) Covered Materials Defined.—In this section, the term “covered materials” means the following:

(1) Materials submitted in support of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code.

(2) Materials submitted in connection with the future-years defense program for a fiscal year under section 221 of title 10, United States Code.

SEC. 6002. REPORT ON FISCAL YEAR 2022 BUDGET REQUEST REQUIREMENTS IN CONNECTION WITH AIR FORCE OPERATIONS IN THE ARCTIC.

The Secretary of the Air Force shall submit to the congressional defense committees, not later than 30 days after submission of the budget justification documents submitted to Congress in support of the budget of the President for fiscal year 2022 (as submitted pursuant to section 1105 of title 31, United States Code), a report that includes the following:

(1) A description of the manner in which amounts requested for the Air Force in the budget for fiscal year 2022 support Air Force operations in the Arctic.

(2) A list of the procurement initiatives and research, development, test, and evaluation initiatives funded by that budget that are primarily intended to enhance the ability of Air Force personnel to operate in the Arctic region, or to defend the northern approach to the United States homeland.
(3) An assessment of the adequacy of the infrastructure of Air Force installations in Alaska and in the States along the northern border of the continental United States to support and operate military units in the Arctic region, including an assessment of runways, fuel lines, and aircraft maintenance capacity for purposes of such support.

SEC. 6003. PROVISIONS REGARDING UNDELIVERED SAVINGS BONDS

Section 30105 of title 31, United States Code, is amended by adding at the end the following:

“(f) Notwithstanding any other law to the contrary, the Secretary shall provide to each State, as digital or other electronically searchable forms become available (including digital images), with sufficient information to permit the registered owner of any applicable savings bond with a registration address that is within such State, including the serial number of the bond, the name and registered address of such owner, and any registered beneficiaries.

“(2) The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this subsection, including rules—

“(A) to expedite the claim of the owners of applicable savings bonds;

“(B) to ensure that any information provided to a State under this subsection shall be used by the Federal agency to notify the owners and assist them in redeeming such bonds with the United States Treasury; and

“(C) to ensure that owners of applicable savings bonds who redeem such bonds with the United States Treasury are able to do so in an expeditious manner.

“(3) Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Appropriations and the Committee on Finance of the Senate a report assessing the extent to which the requirements of this subsection are satisfied by the authorities provided by at-risk vendors.

“(4) For purposes of this subsection, the term ‘applicable savings bond’ means a matured and unredeemed savings bond.’’.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 6046. CONDITIONS FOR PERMANENTLY BASING UNITED STATES EQUIPMENT OR ADDITIONAL MILITARY UNITS IN HOST COUNTRIES WITH AT-RISK VENDORS IN 5G OR 6G NETWORKS

(a) EFFECTIVENESS OF SECTION 1046.—Section 1046 shall have no force or effect.

(b) Prior to a decision for basing a major weapon system or an additional military unit comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host nation with at-risk 5th generation (5G) or sixth generation (6G) wireless network equipment, software, and services, including the use of telecommunications equipment, software, and services provided by vendors such as Huawei and ZTE, where United States military personnel or their families will be directly connected or subscribers to networks that include such at-risk equipment, software, and services in their official duties or in the conduct of personal affairs, the Secretary of Defense shall provide a certification to Congress that includes—

(1) an acknowledgment by the host nation of the risk posed by the network architecture;

(2) a description of steps being taken by the host nation to mitigate any potential risks to the weapon systems, military units, or personnel, and the Department of Defense’s assessment of those efforts;

(3) a description of steps being taken by the Government to monitor any potential risks to the weapon systems, military units, or personnel; and

(4) a description of any defense mutual agreements between the host nation and the United States intended to allay the costs of risk mitigation posed by the at-risk infrastructure.

(c) APPLICABILITY.—The conditions in subsection (b) apply to the permanent long-term stationing of equipment and personnel, and do not apply to short-term deployments or rotational presence to military installations outside the United States in connection with exercises, dynamic force employment, contingency operations, or combat operations.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains an assessment of—

(1) the risk to personnel, equipment, and operations of the Department of Defense in host countries posed by the current or intended use by such countries of 5G or 6G telecommunications architecture provided by at-risk vendors; and

(2) measures required to mitigate the risk described in paragraph (1), including the merit and feasibility of the relocation of certain personnel or equipment of the Department of Defense outside the presence of 5G or 6G telecommunications architecture provided by at-risk vendors.

(e) FORM.—The report required by subsection (d) shall include in a classified form with an unclassified summary.

SEC. 6047. ANTIDISCRIMINATION.

(a) SHORT TITLE.—This section may be cited as the “Elizjah E. Cummings Federal Employee Antidiscrimination Act of 2020”.

(b) 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 by adding at the end the following:

“(1) whether disciplinary action has been taken against Federal employees who are found to have intentionally committed discriminatory (including retaliatory) acts;”;

“(2) in paragraph (5)(A)—

“(A) by striking ‘‘accountability’’ and inserting ‘‘accountability is not’’; and

“(B) by inserting ‘‘for what, by law, the agency is responsible’’ after ‘‘under this Act’’;

“(3) CONTENTS.—A notification provided under paragraph (1) to the Congress (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 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) have been exhausted.

“(D) A notification provided under paragraph (1) with respect to a finding of discrimination (including retaliation) shall—

“(1) 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

“(2) advise Federal employees of the rights and protections available under the provisions of law covered by paragraphs (1) and (2) of section 201(a).

“(d) REPORTING REQUIREMENTS.—

“(1) ELECTRONIC FORMAT REQUIREMENT.—

“(A) 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) by inserting “Homeland Security and” before “Governmental Affairs”;

“(B) by striking “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 “annual report”.

“(E) EFFECTIVE DATE.—The amendment made by subparagraph (A)(iii) shall take effect on the date that is 1 year after the date of enactment of this Act.

“(F) 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, in a format that is current on the date of enactment of this Act and ending on the effective date in subparagraph (B).

“(G) REPORTING REQUIREMENT FOR DISCIPLINARY ACTIONS.—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:

“(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).”.

“(e) 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), by striking “(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
(C) by adding at the end the following:
(1) with respect to each finding described in subparagraph (b)(i)—
(A) the date of the finding,
(B) the affected Federal agency,
(C) the law violated, and
(D) whether a decision has been made regarding disciplinary action as a result of the finding;’’; and
(2) by adding at the end the following:
(II) 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;’’.
3. SEC. 202. NOTIFICATION AND FEDERAL EMPLOYMENT OPPORTUNITY COMMISSION.—Section 3202(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’’.
4. SEC. 207. COMPLAINT TRACKING.—(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 a complaint, the Federal agency responsible for the complaint shall prepare a 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) REFEREALS 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 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.
5. SEC. 203. PROCESSING AND REFEREAL.—(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 REFEREAL
6. SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.—
(a) 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 with the public; and
(C) ensures the efficient and fair resolution of complaints alleging discrimination (including retaliation).

7. SEC. 402. NOTIFICATION ON ADVICE OR COUNSEL.—Nothing in this title shall prevent a Federal agency or a component of a Federal agency (or subcomponent) from providing advice or counsel to employees of that agency (or subcomponent, as applicable) in the resolution of a complaint.

8. 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.

9. SEC. 404. REFEREALS 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 a complaint, the Federal agency responsible for the complaint shall prepare a 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) REFEREALS 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 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.

10. SEC. 404. Referrals of findings of discrimination.
services and partner countries maritime domain awareness information relating to illegal maritime activities, including IUU fishing.

(2) ELEMENTS.—The assessment carried out pursuant to an agreement under paragraph (1) shall—

(A) build on the ongoing Coast Guard assessment related to autonomous vessels;

(B) consider appropriate commercially and academically available technological solutions; and

(C) consider any limitation related to affordability, exportability, maintenance, and sustainment requirements and any other factor that may constrain the suitability of such solutions for use in a joint and combined environment, including the potential provision of such solutions to one or more partner countries.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after entering into an agreement under paragraph (1), the Secretary of the Navy shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate and the Armed Services Committee of the House of Representatives a report on such process.

(4) REIMBURSEMENT.—The Secretary of the Navy shall reimburse the committees specified under subsection (a) for any costs incurred during the process.

(c) REPORT ON USE OF FISHING FLEETS BY FOREIGN GOVERNMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Naval Intelligence shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate and the Armed Services Committee of the House of Representatives the biennial report on foreign governments and their fishing fleets.

(2) ELEMENT.—The report required by paragraph (1) shall include the following:

(A) An analysis of the manner in which fishing fleets are leveraged in support of the naval operations and policies of foreign countries more generally.

(B) A consideration of—

(i) threats posed, on a country-by-country basis, to the fishing vessels and other vessels of the United States and partner countries;

(ii) risks to Navy and Coast Guard operations and coast guard operations of partner countries;

(iii) the broader challenge to the interests of the United States and partner countries.

(3) FORM.—The report required by paragraph (1) shall be in unclassified form, but may include classified annexes.

(d) DEFINITIONS.—In this section, any term that is also used in the Maritime SAFE Act (Public Law 116–92) shall have the meaning given in such Act.

SEC. 6062. STUDY AND REPORT ON THE AFFORDABILITY OF INSULIN.

The Secretary of Health and Human Services, acting through the Assistant Secretary for Planning and Evaluation, shall—

(1) conduct a study, for each type or classification of diabetes (including type 1 diabetes, type 2 diabetes, gestational diabetes, and other conditions causing reliance on insulin) that examines the effect of the affordability of insulin on—

(A) adherence to insulin prescriptions;

(B) rates of diabetic ketoacidosis;

(C) downstream impacts of insulin adherence, including rates of dialysis treatment and end-stage renal disease;

(D) spending by Federal health programs on insulin that could have been avoided by adhering to an insulin prescription; and

(E) other factors, as appropriate, to understand the impact of insulin affordability on health outcomes, Federal government spending (including under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.)), and insured and uninsured individuals with diabetes; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report on the study conducted under paragraph (1).

Subtitle G—Other Matters

SEC. 6061. MODIFICATION TO FIRST DIVISION MONUMENT.

(a) AUTHORIZATION.—The Society of the First Infantry Division may make modifications to the First Division Monument located on Federal land in President’s Park in the District of Columbia to honor the dead of the First Infantry Division, United States Forces, in—

(1) Operation Desert Storm;

(2) Operation Iraqi Freedom and New Dawn; and

(3) Operation Enduring Freedom.

(b) MODIFICATIONS.—Modifications to the First Division Monument may include construction of additional plaques and stone plinths on which to put plaques.

(c) APPLICABILITY OF COMMEMORATIVE WORKS ACT.—Chapter 99 of title 40, United States Code (commonly known as the “Commemorative Works Act”), shall apply to the design and placement of the commemorative elements described in subsection (a), except that subsections (b) and (c) of section 9903 shall not apply.

(d) COLLABORATION.—The First Infantry Division Monument in accordance with the list of names to be added to the First Division Monument in accordance with subsection (a).

(e) FUNDING.—Federal funds may not be used for modifications of the First Division Monument authorized by this section.

SEC. 6062. ESTIMATE OF DAMAGES FROM FEDERAL COMMUNICATIONS COMMISION ORDER 20–48.

Section 1083 is deemed to include at the end the following:

(1) DISTRIBUTION OF ESTIMATE.—As soon as practicable after submitting an estimate as described in paragraph (1) of subsection (a) and making the certification described in paragraph (2) of such subsection, the Secretary shall make suitable to any licensee operating under the order and authorization described in such subsection.

(2) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) to seek recovery of costs incurred by the Department of Defense as a result of the effect such order has on the authorization.

(3) REIMBURSEMENT.—

(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee (or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense, only to the extent provided in appropriations Acts, for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees in such a manner.

(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection, to the extent and in such amounts as are provided in advance in appropriations Acts, for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a).

(4) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

(g) GOOD FAITH.—The execution of the responsibilities of this section by the Department of Defense shall be good faith actions pursuant to paragraph 104 of the Order and Authorization (FCC 20–48) described in subsection (a).

SEC. 6063. DIESEL EMISSIONS REDUCTION.


(b) S TATE GRANT, REBATE, AND LOAN PROGRAM.—Section 792(c)(4)(D) of the Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by striking “2016” and inserting “2024”.

(c) RECOGNIZING DIFFERENCES IN DIESEL VEHICLE, ENGINE, EQUIPMENT, AND PLANT USE.—The Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by striking “2016” and inserting “2024”.

(d) NATIONAL GRANT, REBATE, AND LOAN PROGRAM.—Section 792(c)(4)(D) of the Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by striking “2016” and inserting “2024”.

(e) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) to seek recovery of costs incurred by the Department of Defense as a result of the effect such order has on the authorization.

(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee (or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense, only to the extent provided in appropriations Acts, for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees in such a manner.

(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection, to the extent and in such amounts as are provided in advance in appropriations Acts, for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a).

(3) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

(g) GOOD FAITH.—The execution of the responsibilities of this section by the Department of Defense shall be good faith actions pursuant to paragraph 104 of the Order and Authorization (FCC 20–48) described in subsection (a).
(c) REALLOCATION OF UNUSED STATE FUNDS.—Section 789(c)(2)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the matter preceding clause (i), by striking "the Administrator determines to be necessary to" and inserting "the Administrator determines to be necessary to" and all that follows through "this paragraph in clause (ii) and inserting "to carry out section 792.

SEC. 6084. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) Short Title.—This section may be cited as the "Utilizing Significant Emissions with Innovative Technologies Act" or the "USE IT Act".

(b) Research, Investigation, Training, and Development Activities.—Section 103 of the Clean Air Act (42 U.S.C. 7413) is amended—

(1) in subsection (c)(3), in the first sentence of the preceding subparagraph (A), by striking "percurors" and inserting "precurors"; and

(2) in subsection (g)—

(A) by redesigning paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately; and

(B) in the designated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking "The Administrator and inserting the following: "

"(aa) subject to subclause (III), develop specific requirements for, and do not address or alter the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

(ii) in the second sentence, by striking "Nothing" and inserting the following:

"(aa) an invention that is patentable under section 792", and

(C) in the matter preceding subparagraph (A) (as so redesignated),

(i) in the thrid sentence, by striking "Such program and inserting the following:

"(iii) PROGRAM INCLUSIONS.—The program under this subsection:

(ii) by inserting "States, institutions of higher education," after "scientists;" and

(ii) by striking "Such strategies and technologies shall be developed and inserting the following:

"(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed; and

(iii) in the first sentence, by striking "In carrying out" and inserting the following:

"(I) IN GENERAL.—In carrying out; and

(ii) adding at the end the following:

"(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

(A) IN GENERAL.—In carrying out para- graph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

(B) DIRECT AIR CAPTURE RESEARCH.—

(i) Board.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

(ii) Board shall be developed and inserting the following:

"(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bac- teria;

"(ii) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is se- curely stored; or

"(iv) the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

(I) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

"(III) P RGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commer- cial value, or as an input to products of com- mercial value.

"(V) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure ac- tivities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

"(VII) CHAIRPERSON AND VICE CHAIR- PERSON.—The Board shall select a Chair- person and Vice Chairperson from among the members on the Board.

"(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

(X) FACA.—The Federal Advisory Com- mittee Act (5 U.S.C. App.) shall apply to the Board.
(iv) Eligibility.—To be eligible to receive technical assistance and financial assistance under clause (ii), a carbon dioxide utilization project shall—

(a) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 350 metric tons per day of carbon dioxide emissions or less; and

(b) have adequate access for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with adequate access to larger test beds for scale-up; and

(c) have existing partnerships with institutions of education, interstate agencies, States, or other government entities.

(v) Coordination.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

(3) Authorization of Appropriations.—

(a) In General.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $50,000,000 shall be available for any fiscal year beginning after the date of enactment of this Act to carry out the provisions of this subsection.

(b) Requirement.—Research carried out using amounts made available under subparagraph (A) shall not duplicate research funded by the Department of Energy.

(c) Deep Saline Formation Report.—

(1) Definition of Deep Saline Formation.—

(I) IN General.—In this subsection, the term 'deep saline formation' means a formation of geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

(II) Clarification.—In this subparagraph, the term 'deep saline formation' does not include oil and gas reservoirs.

(III) Report.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, the Committee on Public Works of the Senate and the Committee on Environment and Public Works of the House of Representatives and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(A) the appropriate points of interaction with Federal agencies; and

(B) best practices and templates for mitigation.

(4) Authorization of Appropriations.—

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the 'Administrator') shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(I) the amount of funds used to carry out specific provisions of that section; and

(II) the practices used by the Administrator to differentiate funding used to carry out other provisions of law.

(b) Inclusion.—For purposes of subparagraph (A), 'section 103 of the Clean Air Act' includes—

(1) any facility, technology, or system that captures carbon dioxide from stationary sources in deep saline formations, using existing research;

(2) recommendations, if any, for managing the potential risks identified under clause (I), including potential risks unique to public land; and

(3) a report on the development of carbon dioxide utilization technologies that transform captured carbon dioxide into products of commercial value;

(c) GAO Report.—The Comptroller General of the United States shall submit to Congress a report that—

(I) identifies Federal grant programs identified pursuant to this section, as compared to funding used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), to differentiate funding used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), and identifies Federal financing mechanisms available to project developers.

(d) Submission; Publication.—The Chair shall—

(1) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(II) make the report publically available.

(5) Guidance.—

(a) In General.—The Administrator shall submit guidance under section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)) to differentiate funding used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403) and (II) the practices used by the Administrator to differentiate funding used to carry out other provisions of law.

(b) Inclusion.—For purposes of subparagraph (A), 'section 103 of the Clean Air Act' includes—

(1) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))) and

(2) carbon dioxide pipelines.

(c) Development of Carbon Capture, Utilization, and Sequestration Projects and Regional Permitting, Guidance, and Technical Assistance Program.

(1) Definitions.—In this subsection:

(A) Carbon Capture, Utilization, and Sequestration Projects.—The term 'carbon capture, utilization, and sequestration projects' includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))) and

(B) Efficient, Orderly, and Responsible.—The term 'efficient, orderly, and responsible' means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) Report.—

(A) In General.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the 'Chair'), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(i) compiles all existing relevant Federal permitting and information and resource for project applications, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies; and

(II) clarification of the permitting responsibilities and authorities among Federal agencies; and

(iii) best practices and templates for mitigation.

(B) Submission; Publication.—The Chair shall—

(1) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives and to all relevant Federal agencies that—

(I) compiles all existing relevant Federal permitting and information and resource for project applications; and

II) efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(C) Requirements.—

(I) In General.—The guidance under subparagraph (A) shall address requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(C) the Clean Air Act (42 U.S.C. 7401 et seq.); and

(D) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1351 et seq.);

(VI) the National Historic Preservation Act of 1976;
shall—

(aa) not less than 1 local government in the geographical area covered by the task force; and
(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—(i) IN GENERAL.—Each task force shall meet not less than twice each year.
(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(I) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—
(I) avoid duplicative reviews;
(II) engage stakeholders early in the permitting process; and
(III) make the permitting process efficient, orderly, and responsible;
(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;
(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements for any models developed under clause (ii);
(iv) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;
(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;
(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;
(vii) identify Federal and State financing mechanisms available to project developers; and
(viii) develop recommendations for relevant Federal authorities and program developers and operators face; and
(ii) develop a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues.

(i) IN GENERAL.—The Chair shall—

(I) develop a report for the selection of members to each task force; and
(II) select members for each task force in accordance with clause (I) and clause (ii).

(ii) MEETINGS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;
(bb) the Department of Energy;
(cc) the Department of the Interior;
(dd) any other Federal agency the Chair determines to be appropriate;
(ee) any State that requests participation in the geographical area covered by the task force;
(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and
(gg) nongovernmental membership organizations, the primary mission of which concerns environmental protection.

(iii) TASK FORCE APPOINTMENT.—At the request of a Tribal or local government, may include a representative of—

(A) AVAILABILITY OF LEGAL ASSISTANCE AT FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following new section:

**5906. Availability of legal assistance at Department facilities**

(a) IN GENERAL.—Not less frequently than three times each year, the Secretary shall facilitate the provision by a qualified legal assistance clinic of pro bono legal assistance described in subsection (c) to eligible individuals at no cost or for a nominal fee to those individuals.

(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is—

(i) any veteran;
(ii) any survivor spouse; or
(iii) any child of a veteran who has died.

(c) PRO BONO LEGAL ASSISTANCE DESCRIBED.—The pro bono legal assistance described in this subsection is the following:

(1) Legal assistance with any program administered by the Secretary.

(2) Legal assistance associated with—

(A) improving the discharge or characterization of service in the Armed Forces, including through a discharge review board; or

(B) seeking a review of a military record before a board of correction for military or naval records.

(3) Other legal assistance as the Secretary determines appropriate; and

(4) LIMITATION ON USE OF FACILITIES.—Space in a medical center or facility designated under subsection (a) shall be reserved for and may only be used by the following, subject to review and removal from participation by the Secretary:

(I) A veterans service organization or other nonprofit organization.

(ii) Any other attorneys and entities as the Secretary determines appropriate.

(e) LEGAL ASSISTANCE IN RURAL AREAS.—In carrying out this section, the Secretary shall preserve that pro bono legal assistance is provided under subsection (a) in rural areas.

(f) DEFINITION OF VETERANS SERVICE ORGANIZATION.—The term "veterans service organization" means an organization recognized by the Secretary for the representation of veterans under section 5902 of this title.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by adding at the end the following new title:

**5906. Availability of legal assistance at Department facilities.**

(b) PILOT PROGRAM REQUIRED.—(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal assistance clinics, or enhance existing legal assistance clinics or other pro bono efforts, for the provision of pro bono legal assistance described in subsection (c) to eligible individuals at no cost or for a nominal fee to those individuals.

(1) PILOT PROGRAM REQUIRED.—(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal assistance clinics, or enhance existing legal assistance clinics or other pro bono efforts, for the provision of pro bono legal assistance described in subsection (c) of title 38, United States Code, as added by subsection (a), on a year-round basis to individuals who served in the Armed Forces, including individuals who served as a reserve component of the Armed Forces, and who were discharged or released therefrom, regardless
of the conditions of such discharge or release, at locations other than medical centers and facilities described in subsection (a) of such section.

(B) GENERAL CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit or affect:

(1) the provision of pro bono legal assistance to eligible individuals at medical centers and facilities of the Department of Veterans Affairs under section 5906(a) of title 38, United States Code, as added by subsection (a); or

(2) any other legal assistance provided pro bono at medical centers or facilities of the Department as of the date of the enactment of this Act.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress:

(A) an evaluation of the first five years of the pilot program, with respect to the review conducted under paragraph (1); and

(B) the recommendations developed by the Secretary.

(4) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the status of the implementation of this section.

(E) DEFINITIONS.—In this section:

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

(A) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ‘veterans service organization’ means any organization recognized by the Secretary for the purpose of providing services for veterans.

(3) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

(A) a veterans service organization or other nonprofit organization specifically focused on assisting veterans;

(B) an entity specifically focused on assisting veterans and associated with an accredited law school;

(C) a legal services organization or bar association; or

(D) any other type of entity as the Secretary considers appropriate for purposes of the pilot program.

(4) LOCATIONS.—The Secretary shall ensure that at least one grant is awarded under paragraph (1)(A) to at least one eligible entity in each State, if the Secretary determines that there is such an entity in a State that has applied for and meets requirements for the award of, such a grant.

(5) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefore at such time, in such manner, and containing such information as the Secretary may require.

(6) SELECTION.—The Secretary shall select eligible entities who submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and ability of the entity to provide sound legal advice.

(B) Demonstrated need of the veteran population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grants.

(D) Geographic diversity of applicant entities.

(E) Such other criteria as the Secretary considers appropriate.

(7) GRANTER REPORTS.—Each recipient of a grant under the pilot program shall, in accordance with such criteria as the Secretary may establish, submit to the Secretary a report on the activities of the recipient and how the funds were used.

(8) REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL WORKERS.—

(1) IN GENERAL.—The Secretary shall, in consultation with the Attorney General and the Director of the Office of Government Ethics, conduct a review of the rules and regulations governing the circumstances under which attorneys employed by the Federal Government can provide pro bono legal assistance.

(2) RECOMMENDATIONS.—In conducting the review provided for in paragraph (1), the Secretary shall develop recommendations for such legislative or administrative action as the Secretary considers appropriate to facilitate the provision of pro bono legal services by Federal employees in pro bono legal and other volunteer services for veterans.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress:

(A) an evaluation of the first five years of the pilot program, with respect to the review conducted under paragraph (1); and

(B) the recommendations developed by the Secretary.

SEC. 6086. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(b) DESIGNATION.—May 1 is Silver Star Service Banner Day.

(c) REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL WORKERS.—

(i) IN GENERAL.—EPSCoR shall make grants to eligible jurisdictions to carry out and support applied energy research and research in all areas of environmental management, and basic science, as described in this paragraph.

(ii) ELIGIBILITY UNDER NSF EPSCoR.—At the election of the Secretary, or if the Secretary determines not to establish criteria under clause (i), a State is eligible for a grant under this paragraph if the State is eligible to receive funding under the Established Program to Stimulate Competitive Research of the National Science Foundation.

(e) DEFINITIONS.—In this section:

(1) IN GENERAL.—EPSCoR shall make grants to eligible jurisdictions to carry out and support applied energy research and research in all areas of environmental management, and basic science, as described in this paragraph.

(2) INTENT.—The objectives of EPSCoR shall be—

(i) to increase the number of researchers in eligible jurisdictions, especially at institutions of higher education, capable of performing science and engineering research in support of the mission of the Department of Energy in the areas of applied energy research, environmental management, and basic science.

(ii) to improve science and engineering research and education programs at institutions of higher education in eligible jurisdictions and enhance the capabilities of eligible jurisdictions to develop, plan, and execute research that is competitive, including through investing in research equipment and instrumentation; and

(iii) to increase the probability of long-term growth of competitive funding to eligible jurisdictions.

(3) ELIGIBLE JURISDICTIONS.—

(i) IN GENERAL.—The Secretary may establish criteria for determining whether a State is eligible for a grant under this paragraph.

(ii) REQUIREMENT.—Except as provided in clause (iii), in establishing criteria under clause (i), the Secretary shall ensure that a State is eligible for a grant under this paragraph if the State, as determined by the Secretary, is a State that—

(I) historically has received relatively little Federal research and development funding; and

(aa) to develop the research bases in the State; and

(bb) to improve science and engineering research and education programs at institutions of higher education in the State.

(III) the United States Virgin Islands.

(IV) Guam; and

(V) the Commonwealth of Puerto Rico;

(VI) the District of Columbia; and

(VII) the State of Hawaii.

(4) SELECTION.—In general, EPSCoR shall make grants under this paragraph if the State is determined by the Secretary to serve veterans and ability of the entity to provide sound legal advice.

(5) DURATION.—The Secretary shall carry out the pilot program during the five-year period beginning on the date on which the Secretary establishes the pilot program.

(6) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefore at such time, in such manner, and containing such information as the Secretary may require.

(7) SELECTION.—The Secretary shall select eligible entities who submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and ability of the entity to provide sound legal advice.

(B) Demonstrated need of the veteran population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grants.

(D) Geographic diversity of applicant entities.

(E) Such other criteria as the Secretary considers appropriate.

SEC. 6087. ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

Section 223(b) of the Energy Policy Act of 1992 (42 U.S.C. 13530(b)) is amended by striking the subsection title and inserting the following:

''(E) Established Program to Stimulate Competitive Research. —

(A) DEFINITIONS.—In this paragraph:

(i) ELIGIBLE JURISDICTION.—The term ‘eligible jurisdiction’ means a State that is determined to be eligible for a grant under this paragraph in accordance with subparagraph (B).

(ii) EPSCoR.—The term ‘EPSCoR’ means the Established Program to Stimulate Competitive Research operated under subparagraph (B).

(iii) NATIONAL LABORATORY.—The term ‘National Laboratory’ has the meaning given the term in section 2 of the Energy Policy Act of 2005.

(iv) STATE.—The term ‘State’ means—

(I) a State;
“(IV) to improve research capabilities through biennial research implementation grants.

“(iii) No COST SHARING.—EPSCoR shall not impose or require cost-sharing requirements with respect to a grant made under this subparagraph, but may require letters of commitment from National Laboratories.

“(IV) Program Implementation.—EPSCoR may carry out such activities as may be necessary to meet the objectives described in subparagraph (C) in the areas of applied energy, energy and natural resources management, and basic science described in subparagraph (E)(ii).

“(G) Program Implementation.—

“(1) IN GENERAL.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a plan describing how the Secretary shall implement EPSCoR.

“(ii) CONTENTS OF PLAN.—The plan described in clause (i) shall include a description of—

“(I) the management structure of EPSCoR, which shall ensure that all research areas and academic and industrial partnerships described in this paragraph are incorporated into EPSCoR;

“(II) efforts to conduct outreach to inform eligible jurisdictions and faculty of changes to, and opportunities under, EPSCoR;

“(III) how EPSCoR plans to increase engagement with eligible jurisdictions, faculty, and State committees, including by holding regular workshops, to increase participation in EPSCoR; and

“(IV) any other issues relating to EPSCoR that the Secretary determines appropriate.

“(H) Program Evaluation.—

“(1) IN GENERAL.—Not later than 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall contract with a federally funded research and development center, the National Academy of Sciences, or a similar organization to carry out an assessment of the effectiveness of EPSCoR, including an assessment of—

“(I) the tangible progress made towards achieving the objectives described in subparagraph (C);

“(II) the impact of research supported by EPSCoR on the mission of the Department of Energy; and

“(III) any other issues relating to EPSCoR that the Secretary determines appropriate.

“(2) REPORT.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Congress a report describing the results of the assessment carried out under clause (i), including any recommendations for improvements that would enable the Secretary to achieve the objectives described in subparagraph (C).”.

SEC. 6088. SUBPOENA AUTHORITY.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended by—

(1) in subsection (a)—

(A) in paragraph (5), by striking “and” at the end;

(B) by redesignating paragraph (6) as paragraph (5); and

(C) by inserting after paragraph (5) the following:

“(6) the term ‘security vulnerability’ has the meaning given that term in section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and

“(2) in subsection (b), by striking “and” at the end:

(B) in paragraph (11), by striking the period at the end and inserting “; and” and “by adding at the end the following:

“(12) detecting, identifying, and receiving information about security vulnerabilities related to critical infrastructure in the information systems and devices for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).”; and

(3) by adding at the end following:

“(o) SUBPOENA AUTHORITY.—

“(1) In general.—If the Director decides under this subsection, the term ‘covered device or system’—

“(A) means a device or system commonly used to perform industrial, commercial, scientific, or governmental functions or processes that relate to critical infrastructure, including operational and industrial control systems, controlled distribution, control systems, and programmable devices; and

“(B) does not include personal devices and systems, such as consumer mobile devices, laptops, desktop computers, residential wireless routers, or residential internet enabled consumer devices.

“(2) AUTHORITY.

“(A) IN GENERAL.—If the Director identifies a system connected to the internet with a specific security vulnerability and has reason to believe that the security vulnerability relates to critical infrastructure and affects a covered device or system, and the Director is unable to identify the entity at risk that owns or operates the covered device or system, the Director may issue a subpoena for the production of information necessary to identify and notify the entity at risk, in order to carry out a function authorized under subsection (c)(12).

“(B) LIMIT ON INFORMATION.—A subpoena issued under the authority under subparagraph (A) may seek—

“(i) only in the categories set forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

“(ii) for not more than 20 covered devices or systems.

“(3) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

“(4) COORDINATION.

“(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this subsection, and in the interest of avoiding interference with ongoing law enforcement, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to any inter-agency procedure under paragraph (3)(A), or actions related to mitigating or otherwise responding to such incident.

“(B) THE AGENT FOR THE PURPOSE OF ENFORCING THE SUBPOENA.—The Director shall establish internal procedures for the purpose of enforcing the subpoena in accordance with paragraph (4) or with a Federal agency if—

“(i) the Director identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

“(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a national security action, subject to the interagency procedures under paragraph (3)(A), or actions related to mitigating or otherwise responding to such incident;

“(iii) the entity to which the information pertains is notified of the Director’s determination, to the extent practicable consistent with national security or law enforcement interests, subject to the interagency procedures under paragraph (3)(A); and

“(iv) the entity consents, except that the entity’s consent shall not be required if another Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident involving—

“(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

“(C) the retention and destruction of nonpublic information obtained through a subpoena issued under this subsection, including—

“(1) destruction of information obtained through the subpoena that the Director determines is no longer necessary or useful; and

“(2) the destruction of any such information as the Director may request that the Attorney General seek enforcement of the subpoena in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

“(5) NOTICE.—Not later than 7 days after the date on which the Agency obtains through a subpoena issued under this subsection, the Director shall notify any entity identified by information obtained through a subpoena regarding the subpoena and the identified vulnerability.

“(6) AUTHENTICATION.—

“(A) IN GENERAL.—Any subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that authenticates the Agency and demonstrates that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

“(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this subsection that is not authenticated in accordance with subparagraph (A) shall not be considered to be valid by the recipient of the subpoena.

“(7) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall issue internal procedures and associated training, applicable to employees and operations of the Agency, regarding subpoenas issued under this section, which shall address—

“(A) the protection of and restriction on dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity at risk identified by information obtained, except that the Agency may share the nonpublic information at risk with another the Department of Justice for the purpose of enforcing the subpoena in accordance with paragraph (4) or with a Federal agency if—

“(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

“(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a national security action, subject to the interagency procedures under paragraph (3)(A), or actions related to mitigating or otherwise responding to such incident; and

“(iii) the entity to which the information pertains is notified of the Director’s determination, to the extent practicable consistent with national security or law enforcement interests, subject to the interagency procedures under paragraph (3)(A); and

“(iv) the entity consents, except that the entity’s consent shall not be required if another Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident involving—

“(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).
(ii) destruction of any personally identifiable information not later than 6 months after the date on which the Director receives information obtained through the subpoena, unless the Agency, as identified by the subpoena respondent;

(D) the processes for providing notice to each party that is subject to the subpoena and the procedures and policies of the Agency regarding the submission of any other Federal agency for any purpose;

(E) the processes and criteria for conducting infrastructure security risk assessments to determine whether a subpoena is necessary prior to being issued under this subsection; and

(F) the procedures and policies of the Agency developed under paragraph (7), the Director shall publish on the website of the Agency regarding the subpoena process under this subsection, including—

(A) the purpose for subpoenas issued under this subsection;

(B) the subpoenas process;

(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena;

(D) the procedures and policies on retention and sharing of data obtained by subpoena;

(E) guidelines on how entities contacted by the Director may respond to notice of a subpoena; and

(F) the procedures and policies of the Agency developed under paragraph (7).

(11) ANNUAL REPORTS.—The Director shall annually report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of the results of the review.

(12) PUBLICATION OF INFORMATION.—Not later than 120 days after establishing the information practices; and

(13) PROHIBITION ON USE OF INFORMATION FOR UNAUTHORIZED PURPOSES.—Any information obtained pursuant to a subpoena issued under this subsection shall be provided to any other Federal agency for any purpose other than a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (5 U.S.C. 552a). (c) LIMITATIONS ON PROCEDURES.—(1) LIMITATION ON PROCEDURES (A) review the procedures developed by the Director under paragraph (7) to ensure that—

(A) the procedures are consistent with fair information practices; and

(B) one or more of the agencies that are subject to the procedures have an opportunity to comment on the procedures.

(2) LIMITATION ON INTERNAL PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action to mitigate a security vulnerability made pursuant to an Act.

(3) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

(A) review the procedures developed by the Director under paragraph (7) to ensure that—

(A) the procedures are consistent with fair information practices; and

(B) one or more of the agencies that are subject to the procedures have an opportunity to comment on the procedures.

(U) the source of the security vulnerability detected, identified, or received by the Director;

(V) all information provided to an entity at risk at the time of the notice of the vulnerability, which shall include—

(1) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

(2) to the extent practicable, information regarding the process through which the Director identifies security vulnerabilities.

(8) LIMITATIONS ON PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action to mitigate a security vulnerability made pursuant to an Act.

(9) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

(A) review the procedures developed by the Director under paragraph (7) to ensure that—

(A) the procedures are consistent with fair information practices; and

(B) one or more of the agencies that are subject to the procedures have an opportunity to comment on the procedures.

(U) the source of the security vulnerability detected, identified, or received by the Director;

(V) all information provided to an entity at risk at the time of the notice of the vulnerability, which shall include—

(1) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

(2) to the extent practicable, information regarding the process through which the Director identifies security vulnerabilities.

SEC. 6091. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR FEDERAL PERSONNEL UNDER CHIEF OF MISSION AUTHORITY

Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) is amended—

(2) (A) by inserting "or other designated heads of Federal agencies" after "The Secretary of State"; and

(B) by inserting "Department of State" and inserting "Federal Government".

Subtitle H—Industries of the Future

SEC. 6094A. SHORT TITLE. This subtitle may be cited as the "Industries of the Future Act of 2020."
(1) To provide the Director with advice on ways in which the Federal Government can ensure the United States continues to lead the world in developing emerging technologies and artificial intelligence, and workforce development of the United States workers who will support the industries of the future.

(2) Actions necessary to create and further develop, and that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, including academia, industry, and nonprofit organizations.

(D) That the Federal Government can complement the amendment made by subsection (a) with new and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) by striking the second and third sentences; and

(3) the term "Wireless Emergency Alerts System" means the national public warning system, established under the Warning, Alert, and Response Network Act of 2002 (6 U.S.C. 321o) (referred to in this section as the "public alert and warning system") and the Wireless Emergency Alerts System and the Wireless Emergency Alerts System Improvement Act of 2015 (Public Law 114–143; 130 Stat. 332).

(b) COORDINATION WITH NATIONAL ADVISORY COUNCIL.—The Administrator shall ensure that the guidance developed under subsection (a) does not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(2) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) PUBLIC CONSULTATION.—In developing the guidance under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the guidance with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities used for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry, including representatives of both the non-commercial and commercial radio broadcast industries and non-commercial and commercial television broadcast industries;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(d) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.)
shall not apply to the public consultation with stakeholders under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to amend, supplement, or reduce the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.) or in any other manner give the Administrator authority over commercial wireless providers participating in the Emergency Alert System or the Wireless Emergency Alerts System.

SEC. 6096E. FALSE ALERT REPORTING.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall report on a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending. Such a rulemaking proceeding shall be issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6096G. INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT EXAMINATION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry examining the feasibility of establishing the Emergency Alert System to enable public notice and opportunity for comments, such as a weather alert, AMBER Alert, or disaster alert.

(b) Internet and Online Streaming Services Emergency Alert Examination.

(TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS)

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 6211. CONGRESSIONAL OVERSIGHT OF PAST AND FUTURE AGREEMENTS BETWEEN THE UNITED STATES, TALIBAN, AND THE UNITED STATES OF AMERICA.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other entity under specified circumstances as determined by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6212. REPORT AND BRIEFING ON VERIFICATION OF THE FEBRUARY 29, 2020, AGREEMENT.

SEC. 6213. CONGRESSIONAL OVERSIGHT OF OTHER AGREEMENTS.

SEC. 6214. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6215. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6216. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

SEC. 6217. CONGRESSIONAL OVERSIGHT OF OTHER AGREEMENTS.

SEC. 6218. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6219. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6220. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6221. CONGRESSIONAL OVERSIGHT OF OTHER AGREEMENTS.

SEC. 6222. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and

SEC. 6223. CONGRESSIONAL OVERSIGHT OF THE FEBRUARY 29 AGREEMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other party identified by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terrorist attack, or other acts of war; and
SEC. 6231. CLARIFICATION AND EXPANSION OF SANCTIONS RELATING TO THE CONSTRUCTION OF NORD STREAM 2 OR TURKSTREAM PIPELINE PROJECTS.

In general.—Subsection (a)(1) of section 3135 of the Protecting Europe’s Security Act of 2019 (title LXXV of Public Law 116–92) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

"(5) PIPE-LAYING ACTIVITIES.—The term ’pipe-laying activities’ means activities that facilitate pipe-laying, including site preparation, trenching, surveying, placing rocks, backfilling, welding, coating, and lowering of pipe.’’.

SEC. 6233. SENSE OF SENATE ON ADMISSION OF UKRAINE OF THE NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNERSHIP PROGRAM.

(a) INEFFECTIVENESS OF SECTION 1235.—Section 1235 shall have no force or effect.

(b) FINDINGS.—Congress makes the following findings:

(1) On August 24, 1991, Ukraine became a free and independent country after declaring its independence from the Soviet Union.

(2) The Russian Federation is required to respect the independence, sovereignty, and territorial integrity of Ukraine through its signed commitments to the 1994 Budapest Memorandum, the 1975 Helsinki Accords, and the Charter of the United Nations.

(3) On February 8, 1994, Ukraine was among the first post-Soviet states to join the North Atlantic Treaty Organization Partnership for Peace, and Ukraine subsequently participated in numerous North Atlantic Treaty Organization-led security assistance, peacekeeping, counterterrorism, and maritime initiatives.

(4) The North Atlantic Treaty Organization and Ukraine have continuously deepened their cooperation through the establishment of—

(A) the North Atlantic Treaty Organization-Ukraine Charter on a Distinctive Partnership and the North Atlantic Treaty Organization-Ukraine Commission in 1997;

(B) the North Atlantic Treaty Organization-Ukraine Joint Working Group on Defense Reform in 1998; and

(C) the North Atlantic Treaty Organization-Ukraine Action Plan in 2002.

(5) In the Bucharest Summit Declaration of April 2008, heads of state and governments of North Atlantic Treaty Organization member countries declared, “NATO welcomes Ukraine and Georgia as potential Members of the Alliance.”

(6) Beginning on November 21, 2013, and ending on February 22, 2014, during a period that became known as the Revolution of Dignity, the people of Ukraine peacefully protested the illegal and repressive actions of the Yanukovych regime to suspend the signing of the Ukraine-European Union Association Agreement, resulting in the unanimous removal of Yanukovych from office by the Verkhovna Rada.

(7) On May 25, 2014, Peter Poroshenko was elected democratically to become the President of Ukraine based on a pro-European Union and pro-North Atlantic Treaty Organization platform, which laid the foundation for progress on the European Union Association Agreement.

(8) In response to Ukraine’s Revolution of Dignity, the Russian Federation launched an overt and covert military campaign against what was illegally occupied Ukraine’s Crimean Peninsula, and instigated war in eastern Ukraine, resulting in the deaths of approximately 14,000 Ukrainians.

(9) The United States has formally condemned the invasion and illegal occupation of the Crimean Peninsula and instigation of conflict in eastern Ukraine in 2014 was widely viewed as an eff ort to rupture the Western alliance and undermine the development across Ukraine in the wake of the Revolution of Dignity.

(b) DEFINITIONS.—Subsection (i) of such section is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

"(5) PIPE-LAYING ACTIVITIES.—The term ’pipe-laying activities’ means activities that facilitate pipe-laying, including site preparation, trenching, surveying, placing rocks, backfilling, welding, coating, and lowering of pipe.’’.

(11) In 2016, as a result of the Warsaw Summit, the North Atlantic Treaty Organization pledged additional training and technical assistance for the military and police in Ukraine and endorsed a comprehensive assistance package that included “tailored capability and capacity building measures . . . to enhance Ukraine’s resilience against a wide array of threats, including hybrid threats”.

(12) In 2017, in the face of continued Russian Federation aggression in the eastern region of Ukraine and the continued occupation of Crimea, the Government of Ukraine rejected cooperation with the Russian Federation and voted to make cooperation with the North Atlantic Treaty Organization a foreign policy priority.

(13) On September 1, 2017, the Ukraine-European Union Association Agreement entered into force.

(14) Since Ukraine’s Revolution of Dignity and in recognition of the United States-Ukraine strategic partnership, the United States has—

(A) provided Ukraine with more than $110,000,000 in security assistance, including critical defense items;

(B) collaborated closely with the military forces of Ukraine; and

(C) imposed strong sanctions on the Russian Federation in response to continued Russian Federation aggression in Ukraine.

(15) In January 2020, the Government of Ukraine requested that the North Atlantic Treaty Organization grant Ukraine the status of an Enhanced Opportunities Partner.

(16) Since Ukraine’s Revolution of Dignity and in recognition of the United States-Ukraine strategic partnership, the United States has—

(A) reaffirmed to European Union and North Atlantic Treaty Organization leaders that Ukraine’s strategic priority is to achieve full membership in the European Union and the North Atlantic Treaty Organization; and

(B) championed the adoption of an amendment to the Constitution of Ukraine declaring that the Government of Ukraine is responsible for implementing such strategic cooperation and membership in the European Union and the North Atlantic Treaty Organization.

(17) In December 2019, the new president of Ukraine, Volodymyr Zelensky—

(A) reaffirmed to European Union and North Atlantic Treaty Organization leaders that Ukraine’s strategic priority is to achieve full membership in the European Union and the North Atlantic Treaty Organization; and

(C) provided Ukraine with more than $110,000,000 in security assistance, including critical defense items; and

(c) SENSE OF SENATE.—It is the sense of the Senate that the—

(1) applauds the progress of Ukraine and the Revolution of Dignity with respect to strengthening the rule of law and combating corruption, aligning with Euro-Atlantic standards, and improving Ukraine’s military combat readiness and interoperability with the North Atlantic Treaty Organization;

(2) endorses the unwavering commitment of the United States to—

(A) supporting the continued efforts of Ukraine to implement democratic and free market reforms;

(B) restoring the territorial integrity of Ukraine; and

(C) providing additional lethal and non-lethal security assistance to augment the defense capabilities of Ukraine and to deter further Russian Federation aggression;
(3) condemns the Russian Federation’s ongoing use of force and other malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activities that seek to undermine Ukraine and destabilize Europe;

(4) congratulates Ukraine on its inclusion in the United States’ Global Alliance on Cyber Threats; and

Subtitle F—Matters Relating to the Indo-Pacific Region

SEC. 6251. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH VIETNAM, THAILAND, AND INDONESIA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program in Vietnam, Thailand, and Indonesia:

(1) to enhance the cybersecurity, resilience, and readiness of Vietnam, Thailand, and Indonesia; and

(2) to increase regional cooperation between the United States and Vietnam, Thailand, and Indonesia.

(b) ACTIVITIES OF PILOT PROGRAM.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in Vietnam, Thailand, and Indonesia.

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of Vietnam, Thailand, and Indonesia with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in Vietnam, Thailand, and Indonesia and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of Vietnam, Thailand, and Indonesia.


(1) D ESIGN OF PILOT PROGRAM .—Not later than June 1, 2021, the Secretary of Defense shall notify Congress of the activities that seek to incorporate into the pilot program under subsection (a) that are intended to improve cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(2) P ROGRESS REPORT .—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the pilot program under subsection (a).

(3) C ONTINUATION OF PILOT PROGRAM.—The pilot program under subsection (a) shall continue to be carried out until the date on which the studies required by subsection (a) are completed, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of each study, together with the views of the Secretary on each study.

Subtitle G—Other Matters

SEC. 6281. COMPARATIVE STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE’S REPUBLIC OF CHINA, THE RUSSIAN FEDERATION, AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEPARTMENT OF DEFENSE STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with not more than two entities independent of the Department to conduct a comparative study on the defense budgets of the People’s Republic of China, the Russian Federation, and the United States.

(2) INDEPENDENT STUDY.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with not more than two entities independent of the Department to conduct a comparative study on the defense budgets of the People’s Republic of China, the Russian Federation, and the United States.

(B) E LEMENTS.—The elements of the study required by subsection (a) shall be to develop a methodology sound set of assumptions to result in a comparison of the defense spending of the People’s Republic of China, the Russian Federation, and the United States, to be completed not later than 270 days after the date of the enactment of this Act.

(3) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—Not fewer than one entity described in subparagraph (A) shall be a federally funded research and development center.

(4) G OAL.—The goal of the studies required by subsection (a) shall be to develop a methodology sound set of assumptions to result in a comparison of the defense spending of the People’s Republic of China, the Russian Federation, and the United States.

(5) E LEMENTS.—Each study required by subsection (a) shall do the following:

(A) Develop consistent functional categories for defense spending, including—

(i) defense-related research and development;

(ii) weapons procurement;

(iii) operations and maintenance; and

(iii) pay and benefits.

(B) Consider the effects of purchasing power parity and market exchange rates, particularly on notations that includes—

(i) consider differences in the relative prices of goods and labor within each subject country;

(ii) compare the costs of labor and benefits for the defense workforce of each subject country.

(6) Account for discrepancies in the manner in which each subject country accounts for certain functional types of defense-related spending.

(b) RE PORT.—Not later than 30 days after the date on which the reports required by subsection (a) are completed, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the studies required by subsection (a), together with the views of the Secretary on each study.

(c) SENSE OF CONGRESS.—It is in the sense of the Congress—

(1) that the Department of Defense has cooperated extensively with Israel to assist in the procurement of precision-guided munitions,
SEC. 6284. BLOCKING DEADLY FENTANYL IMPORTS.

(a) Short Title.—This section may be cited as the “Blocking Deadly Fentanyl Imports Act.”

(b) Definitions.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “in which”; and

(B) in subparagraph (A), by inserting “in which” before “1,000”;

(2) in subparagraph (B)—

(i) by inserting “in which” before “1,000”; and

(ii) by striking “or” at the end;

(3) in subparagraph (C)—

(i) by inserting “in which” before “5,000”; and

(ii) by inserting “or” after the semicolon; and

(4) by adding at the end the following:

“(D) that is a significant source of illicit synthetic opioids significantly affecting the United States;”; and

(5) in the report—

(A) in paragraph (1), by striking “or countries” and inserting “and”; and

(B) in subparagraph (D), by adding “and” at the end;

and

(c) in subparagraph (D), by adding “and” at the end;

and

(d) the following:

“F” assistance to combat trafficking authorized under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

“(G) global health assistance authorized under sections 104 through 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2291b through 2291f-4).”

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

“(9) A separate section that contains the following:

“(A) An identification of the countries, to the extent feasible, that are the most significant sources of illicit fentanyl and fentanyl analogues significantly affecting the United States during the preceding calendar year.

“(B) A description of the extent to which each country identified pursuant to subparagraph (A) has cooperated with the United States to prevent the articles or chemicals described in subparagraph (A) from being exported from such country to the United States.

“(C) A description of whether each country identified pursuant to subparagraph (A) has adopted procedures to control, and other procedures for illicit drugs that are similar in effect to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 802), that are the most significant sources of illicit fentanyl analogues.

“(D) A description of whether each country identified pursuant to subparagraph (A) is following steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substances defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)); and

“(E) A description of whether each country identified pursuant to subparagraph (A) requires the registration of tabletting machines and encapsulating machines or other measures similar in effect to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations, and has not made good faith efforts, in the opinion of the Secretary, to improve regulation of tabletting machines and encapsulating machines.”;

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL AID.—

(1) In General.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(b)) is amended—

(A) in paragraph (1), by striking “or country” and inserting “or countries”;

(B) in subparagraph (A), by striking “in which” before “5,000”; and

(C) by adding at the end the following:

“(D) Notwithstanding paragraph (3), assistance authorized under section 489(a)(9)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substances defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32));”;

(2) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—Section 706(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291–1(3)) is amended by striking “also designated under paragraph (2) or (3) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.”

(3) NOTWITHSTANDING PARAGRAPH (3), ASSISTANCE TO COUNTER NATIONAL SECURITY THREATS WITHOUT SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291–1(2)) is amended by striking “designated” and inserting “designated in a report under paragraph (2) or (3) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.”

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SEC. 6285. ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.

The reference in section 1286(b)(5)(A) to the “Minister of Defense of Israel” is hereby deemed to refer to the “Secretary of State and the Minister of Defense of Israel.”

Subtitle H—United States-Israel Security Assistance

SEC. 6290. SHORT TITLE.

This title may be cited as the “United States-Israel Security Assistance Authorization Act of 2020”.

SEC. 6290A. DEFINITION.

In this subtitle, the term “appropriate congressional committees” means—

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

(2) the Committee on Armed Services of the House of Representatives; and

(3) the Committee on Foreign Affairs of the House of Representatives; and
SEC. 6292. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.
(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel precision guided munitions from reserve stocks for Israel in such quantities as are necessary for its national security, self-defense of Israel and is otherwise consistent with the purposes and conditions for such transfers under the Arms Export Control Act (22 U.S.C. 2771 et seq.).
(b) CERTIFICATIONS.—Except in case of emergency, as determined by the President, not later than 5 days before making a transfer under this subsection, the President shall certify to the appropriate congressional committees that the transfer of the precision guided munitions—
(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;
(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions;
(3) is necessary for Israel to counter the threat of missile proliferation and terrorism; and
(4) is in the national security interest of the United States.

SEC. 6297. SENSE OF CONGRESS ON RAPID ACQUISITION, EXPEDITIONARY DEPLOYMENT PROCEDURES.
It is the sense of Congress that the President should—
(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions;
(2) ensure that a missile which is an ally of the United States, to protect itself against direct missile threats;

SEC. 6298. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.
(a) FINDINGS.—Congress finds the following:
(1) Israel has adopted high standards in the field of weapons export controls.
(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.
(3) Israel is a party to—
(A) the Protocol for the Prohibition of the Use in Weapons of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925 (commonly known as the “Geneva Protocol”);
(B) the Convention on the Physical Protection of Nuclear Material, signed at Vienna and New York March 3, 1980; and
(C) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980.
(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 6603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export or retransfer of an item subject to controls under the Export Administration Regulations.
(b) BRIEFING ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION.—Not later than 120 days after the date of the enactment of this Act, the President shall brief the appropriate congressional committees by describing the steps taken to include Israel in the list of countries eligible for the strategic trade authorization exception under section 740.20(c) of title 15, Code of Federal Regulations, as required under section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296).

CHAPTER 2—ENHANCED UNITED STATES-ISRAEL COOPERATION
SEC. 6299. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, MEMORANDA OF UNDERSTANDING TO ENHANCE COOPERATION WITH ISRAEL.
(a) FINDINGS.—Congress finds that the United States Agency for International Development and Israel’s Agency for International Development Cooperation signed memoranda of understanding in 2012, 2017, and 2019 to coordinate the countries’ respective efforts to promote common development goals in third countries.
(b) SENSE OF CONGRESS REGARDING USAID POLICY.—It is the sense of Congress that the Department of State and the United States Agency for International Development should continue to cooperate with Israel to advance common goals in socially, economically, and developmentally, third countries across a wide variety of sectors, including energy, agriculture, food security, democracy, human rights, governance, education, trade, environment, global health, water, and sanitation, with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 6299A. COOPERATIVE PROJECTS AMONG THE UNITED STATES, ISRAEL, AND DEVELOPING COUNTRIES.
Section 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2315a) is amended by striking subsections (e) and (f) and inserting the following:
“(e) There are authorized to be appropriated $2,000,000 for each of the fiscal years 2021 through 2025 to support cooperative projects among the United States, Israel, and developing countries that identify and support local solutions to address sustainable development and water resource challenges relating to water resources, agriculture, and energy storage, including—
“(1) establishing public-private partnerships;
“(2) supporting the identification, research, development testing, and scaling of innovations that focus on populations that are vulnerable to and are threatened by resource-scarcity crises, such as subsistence farming communities;
“(3) seed or transition-to-scale funding;
“(4) clear and appropriate branding and marking of United States funded assistance, in accordance with section 641; and
“(5) accelerating demonstrations or applications of local solutions to sustainable development challenges, or the further refinement, testing, or implementation of innovations that have previously effectively addressed sustainability challenges.
“(f) Amounts appropriated pursuant to subsection (e) shall be obligated in accordance with the memoranda of understanding between the United States Agency for International Development and Israel’s Agency for International Development Cooperation with the countries identified therein.
SEC. 6299B. JOINT COOPERATIVE PROGRAM RELATED TO INNOVATION AND HIGHEST FOR THE MIDDLE EAST REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should help foster cooperation in the Middle East region by financing and, as appropriate, cooperating in projects related to innovation and advanced technologies; and

(2) projects referred to in paragraph (1) should—

(A) contribute to development and the quality of life in the Middle East region through the application of research and advanced technology; and

(B) contribute to Arab-Israeli cooperation by establishing strong working relationships that last beyond the life of such projects.

(b) ESTABLISHMENT.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, is authorized to seek to establish a program between the United States and appropriate regional partners to provide for cooperation in the Middle East region by supporting projects related to innovation and advanced technologies.

(c) PROJECT REQUIREMENTS.—Each project carried out pursuant to subsection (b) shall—

(1) include the participation of at least 1 entity from Israel and 1 entity from another country or countries; and

(2) shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel.

SEC. 6299C. SENSE OF CONGRESS ON UNITED STATES-ISR AEL ECONOMIC COOPERATION.

It is the sense of Congress that—

(1) the United States-Israel economic partnership—

(A) has achieved great tangible and intangible benefits to both countries; and

(B) is a foundational component of the strong alliance;

(2) science and technology innovations present promising new frontiers for United States-Israel economic cooperation, particularly in cybersecurity, health, and environmental and scientific fields; and

(3) the President should regularize and expand the economic dialogue with Israel and foster both public and private sector participation.

SEC. 6299D. COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States and Israeli forces deployed in the Middle East, or Israel. Any activities carried out under this paragraph shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel.

(2) DIRECTED ENERGY ACTIVITIES.—Activities described in paragraph (1) may be carried out after the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees regarding the status of the plans required under subsection (a).

(b) AUTHORIZATION OF APPROPRIATIONS.—Activities authorized under this section shall be carried out with the concurrence of the Secretary of State and aligned with the National Security Strategy of the United States, the United States Government Global Health Security Strategy, the Department of State Integrated Country Strategies, the USAID Country Development Strategies, and any equivalent or successor plans or strategies, as necessary and appropriate.

SEC. 6299E. PLANS TO PROVIDE ISRAEL WITH DEFENSE ARTICLES AND SERVICES IN A CONTINGENCY.

(a) IN GENERAL.—The President shall establish and update, as appropriate, plans to provide Israel with defense articles and services that are determined by the Secretary of Defense to be necessary for the defense of Israel in a contingency.

(b) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall brief the appropriate congressional committees regarding the status of the plans required under subsection (a).

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the President shall submit a report describing the benefits provided to the President of Israel, to the Secretary of State, and to the appropriate congressional committees regarding the plans required under subsection (a).

SEC. 6299F. OTHER MATTERS OF COOPERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) the United States and Israel regarding sharing of defense costs for the capabilities described in paragraph (1), and any supporting documents; and

(ii) the United States and Israel regarding sharing of support in connection with activities described in paragraph (1), and any supporting documents; and

(b) a certification that the memorandum of agreement referred to in subparagraph (A)—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel; and

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditures for research, development, test, and evaluation activities authorized under subsection (a)(1), including the in-kind support to be so provided, unless the Secretary of Defense, with the concurrence of the Secretary of State, determines not to require such reporting.

(c) COORDINATOR OF UNITED STATES-ISRAEL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The President may designate the Coordinator of United States-Israel Research and Development to—

(A) a memorandum of agreement between the United States and Israel; and

(B) a certification that the memorandum of agreement referred to in subparagraph (A)—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel; and

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(2) SUPPORT IN CONNECTION WITH ACTIVITIES.—

(b) IN GENERAL.—The President shall establish, as appropriate, plans to provide Israel with defense articles and services that are determined by the Secretary of Defense, with the concurrence of the Secretary of State, in accordance with the Agreement between the Government of the United States of America and the Government of Israel on Cooperation in Science and Technology for Homeland Security Matters, done at Jerusalem May 29, 2008 (or a successor agreement), for the purposes described in paragraph (1).
Energy Center established pursuant to section 917(d) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(d)).

(i) UNITED STATES–ISRAEL BINATIONAL INDUSTRIAL RESEARCH AND DEVELOPMENT FOUNDATION.—It is the sense of Congress that grants to promote covered energy projects conducted by, or in conjunction with, the United States-Israel Binational Industrial Research and Development Foundation should be funded at not less than $2,000,000 annually under section 917(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(b)).

(ii) UNITED STATES–ISRAEL COOPERATION ON ENERGY, WATER, HOMELAND SECURITY, AGRICULTURAL INNOVATIVE FUEL TECHNOLOGIES.—Section 7 of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 6606) is amended by adding at the end the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2021 through 2025.”

(h) ANNUAL POLICY DIALOGUE.—It is the sense of Congress that the Department of Transportation’s Office of Transportation should engage in an annual policy dialogue to implement the 2016 Memorandum of Cooperation signed by the Secretary of Transportation and the Israeli Minister of Transportation.

(i) COOPERATION ON SPACE EXPLORATION AND SCIENCE INITIATIVES.—The Administration of Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

(j) RESEARCH AND DEVELOPMENT COOPERATION RELATING TO DESALINATION TECHNOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Aeronautics and Space Administration shall submit a report that describes research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology in accordance with section 9(b)(3) of the Water Desalination Act of 1996 (42 U.S.C. 10001) not later than:

(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Energy and Natural Resources of the Senate;
(3) the Committee on Foreign Affairs of the House of Representatives; and
(4) the Committee on Natural Resources of the House of Representatives.

(k) RESEARCH AND TREATMENT OF POSTTRAUMATIC STRESS DISORDER.—It is the sense of Congress that the Secretary of Veterans Affairs should seek to explore collaborative opportunities with the Department of Energy with relevant State and local officials for the development of programs consistent with Federal and information security industry standards; and

(l) GOVERNMENT GRANTS TO PROMOTE COMMUNITY ENERGY MICROGRID PROJECTS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Energy should submit to the Committee on Energy and Natural Resources a report describing the end-use efficiency of non-Federal entities to increase resilience against cyber threats; and

(m) PROCUREMENT OF CYBERSECURITY SERVICES.—Nothing in the National Research and Development Act of 1974 (42 U.S.C. 651 et seq.) shall be construed to affect or otherwise modify the authority of Federal computer systems. Such report shall cover matters relating to cost, mission impact, and implementation timeline.

SEC. 6612. GUIDANCE AND DIRECTION ON USE OF ARTIFICIAL INTELLIGENCE PROFESSIONALS AND OTHER DATA SCIENCE AND SOFTWARE DEVELOPMENT PERSONNEL.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue guidance to the secretaries of the military departments and the heads of the defense component of the direct hiring processes for artificial intelligence professionals and other data science and software development personnel.

(b) OBJECTIVITY OF THE GUIDANCE.—The guidance issued under subsection (a) shall be to ensure that organizational leaders assume greater responsibility for the results of civilian hiring of artificial intelligence professionals and other data science and software development personnel.

(c) CONTENTS OF GUIDANCE.—At a minimum, the guidance required by subsection (a) shall include—

(1) instruct human resources professionals and hiring authorities to utilize available direct hiring authorities (including excepted service authorities) for the hiring of artificial intelligence professionals and other data science and software development personnel, to the maximum extent practicable;

(2) instruct hiring authorities, when using direct hiring authorities, to prioritize utilization of panels of subject matter experts over human resources professionals to assess applicant qualifications and determine which applicants are best qualified for a position;

(3) authorize and encourage the use of ePortfolio reviews to provide insight into the previous work of applicants as a tangible demonstration of capabilities and contribute to the assessment of applicant qualifications by subject matter experts; and

(4) encourage the use of referral bonuses for recruitment and hiring of highly qualified artificial intelligence professionals and other data science and software development personnel in accordance with volume 451 of Department of Defense Instruction 1400.25.

(d) REPORT.—Not later than 1 year after the date on which the guidance is issued under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing the guidance issued pursuant to subsection (a).

(2) CONTENTS.—At a minimum, the report submitted under paragraph (1) shall address the following:

(A) the objectives of the guidance and the manner in which the guidance seeks to achieve those objectives;

(B) the effectiveness of the guidance on the hiring process for artificial intelligence professionals and other data science and software development personnel, including the effect on:

(i) hiring time;

(ii) the use of direct hiring authority; and

(iii) the use of subject matter experts; and

(C) the quality of new hires, as assessed by, or in conjunction with, human resources professionals, hiring managers and organizational leaders.

SEC. 6613. CYBERSECURITY STATE COORDINATOR.

(A) APPOINTMENT.—The Director shall appoint at each State, with the appropriate cybersecurity qualifications and expertise, who shall serve as the Cybersecurity State Coordinator.

(B) DUTIES.—The duties of the Cybersecurity State Coordinator appointed under subsection (a) shall include—

(1) building strategic relationships across Federal and, on a voluntary basis, non-Federal entities to increase resilience against cyber threats;

(2) supporting training, exercises, and planning for continuity of operations to expedite recovery from cybersecurity incidents, including ransomware;

(3) raising awareness of the financial, technical, and operational resources available from the Federal Government to non-Federal entities to increase resilience against cyber threats;

(4) assisting non-Federal entities in developing State cybersecurity strategies, including disclosure programs consistent with Federal and information security industry standards; and

(5) performing such other duties as determined necessary by the Director to achieve the goal of managing cybersecurity risks in the United States and reducing the impact of cyber threats to non-Federal entities.

(B) OVERRIDES.—The Director of the Cybersecurity and Infrastructure Security Agency shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Intelligence of the House of Representatives a briefing on the placement and efficacy of the Cybersecurity State Coordinators appointed under section 2215 of the Homeland Security Act of 2002, as added by paragraph (1) of:

(A) not later than 1 year after the date of enactment of this Act; and

(B) not later than 2 years after providing the first briefing under this paragraph.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection or the amendments made by this section (a) shall be construed to affect or otherwise modify the authority of Federal...
law enforcement agencies with respect to investigations relating to cybersecurity incidents.

(4) TECHNICAL AND CONFORMING AMENDMENTS.—(i) In section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2133) is amended by inserting after the item relating to section 2214 the following:

‘‘Sec. 2215. Cybersecurity Advisory Committee.’’. (b) SHORT TITLE.—This section may be cited as the ‘‘Cybersecurity Advisory Committee Authorization Act of 2020’’.


(c) MEMBERSHIP.—(1) IN GENERAL.—The membership of the Advisory Committee shall consist of not more than 35 individuals.

(2) REPRESENTATION.—(A) The Advisory Committee shall—

(i) consist of subject matter experts;

(ii) be geographically balanced; and

(iii) represent—

(A) State, local, and Tribal governments and of a broad range of industries, which may include the following:

(aa) Defense.

(bb) Education.

(cc) Financial services and insurance.

(dd) Healthcare.

(ee) Manufacturing.

(ff) Media and entertainment.

(gg) Chemicals.

(hh) Retail.

(ii) Transportation.

(jj) Energy.

(kk) Information Technology.

(ll) Communications.

(mm) Other relevant fields identified by the Director.

(B) a member to serve as chairperson of the Advisory Committee established under subsection (d) for any year shall be approved by the Advisory Committee before the Advisory Committee submits to the Director the annual report under paragraph (4) for that year.

(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Director—

(A) reports on matters identified by the Director; and

(B) reports on other matters identified by a majority of the members of the Advisory Committee.

(4) ANNUAL REPORT.—(A) In GENERAL.—The Advisory Committee shall submit to the Director an annual report containing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year.

(B) PUBLICATION.—Not later than 180 days after the date on which the Director receives an annual report for a year under subparagraph (A), the Director shall publish a public version of the report describing the activities of the Advisory Committee and such related matters as would be informative to the public during that year, consistent with section 502(b) of title 5, United States Code.

(5) FEEDBACK.—Not later than 90 days after receiving any recommendation submitted by the Advisory Committee under paragraph (3), (5), or (4), the Director shall respond in writing to the Advisory Committee with feedback on the recommendation. Such a response shall include—

(A) any recommendation with which the Director concurs, an action plan to implement the recommendation; and

(B) with respect to any recommendation with which the Director does not concur, a briefing on feedback from the Advisory Committee.

(7) GOVERNANCE RULES.—The Director shall establish rules for the structure and governance of the Advisory Committee and all subcommittees established under subsection (d).

(8) MEMBERSHIP.—(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Cybersecurity Advisory Committee Authorization Act of 2020, the Director shall appoint the members of the Advisory Committee.

(2) COMPOSITION.—The membership of the Advisory Committee shall consist of not more than 35 individuals.

(9) REPRESENTATION.—(1) IN GENERAL.—The membership of the Advisory Committee shall—

(A) consist of subject matter experts;

(B) be geographically balanced; and

(C) represent—

(i) State, local, and Tribal governments and of a broad range of industries, which may include the following:

(aa) Defense.

(bb) Education.

(cc) Financial services and insurance.

(dd) Healthcare.

(ee) Manufacturing.

(ff) Media and entertainment.

(gg) Chemicals.

(hh) Retail.

(ii) Transportation.

(jj) Energy.

(kk) Information Technology.

(ll) Communications.

(mm) Other relevant fields identified by the Director.

(2) REPRESENTATION.—(A) The Advisory Committee shall—

(i) consist of subject matter experts;

(ii) be geographically balanced; and

(III) include representatives of State, local, and Tribal governments and of a broad range of industries, which may include the following:

(aa) Defense.

(bb) Education.

(cc) Financial services and insurance.

(dd) Healthcare.

(ee) Manufacturing.

(ff) Media and entertainment.

(gg) Chemicals.

(hh) Retail.

(ii) Transportation.

(jj) Energy.

(kk) Information Technology.

(ll) Communications.

(mm) Other relevant fields identified by the Director.

(II) PROHIBITION.—Not less than 1 member nor more than 3 members may represent any 1 category under clause (I).

(III) PUBLICATION OF MEMBERSHIP LIST.—The Advisory Committee shall publish its membership list on a publicly available website not less than once per fiscal year and shall update the membership list as changes occur.

(3) TERMS OF OFFICE.—(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years, except as the amount is further amended by inserting after the item relating to section 2215 the following:

‘‘Sec. 2215. Cybersecurity Advisory Committee.’’.

(4) REAPPOINTMENT.—A member of the Advisory Committee may be reappointed for an unlimited number of terms.

(5) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee may not receive pay or benefits from the United States Government or their service on the Advisory Committee.

(6) MEETINGS.—(A) IN GENERAL.—The Director shall require the House of Representatives to meet not less frequently than semiannually, and may convene additional meetings as necessary.

(B) PUBLIC MEETINGS.—At least one of the meetings referred to in subparagraph (A) shall be open to the public.

(7) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at any meeting.

(8) MEMBERS ACCESS TO CLASSIFIED INFORMATION.—(A) IN GENERAL.—Not later than 60 days after the date on which a member is first appointed to the Advisory Committee and before the member is granted access to any classified information the Director shall determine, for the purpose of the Advisory Committee, if the member should be restricted from reviewing, discussing, or possessing classified information.

(9) ACCESS.—Access to classified materials shall be managed in accordance with Executive Order No. 13526 of December 29, 2009, as amended, or any other Executive Order subsequently corresponding Executive Order.

(10) PROTECTIONS.—A member of the Advisory Committee shall protect all classified information in accordance with the applicable requirements for the particular level of classification of such information.

SEC. 6615. CYBERSECURITY EDUCATION AND TRAINING ASSISTANCE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States continues to face critical shortages in the national cybersecurity workforce;

(2) the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security has the responsibility to manage the cybersecurity workforce, including by ensuring a national workforce supply to support cybersecurity through education, training, and capacity development efforts;

(3) to establish a National Cybersecurity and Infrastructure Security Agency, the Federal Government should establish the Cybersecurity Education and Training Assistance Program.

(b) CYBERSECURITY EDUCATION AND TRAINING ASSISTANCE PROGRAM.—(A) IN GENERAL.—The Director shall '
(b) AUTHORITIES.—Section 2202(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)) is amended by adding at the end the following:

"(1) encourages and builds cybersecurity awareness and competency across the United States and to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity-related missions of the Department, including by—

"(i) overseeing K–12 cybersecurity education and awareness related programs at the agency;

"(ii) leading efforts to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity-related missions of the Department;

"(iii) encouraging and building cybersecurity awareness and competency across the United States; and

"(iv) carrying out cybersecurity related workforce development activities, including through—

"(I) increasing the pipeline of future cybersecurity professionals through programs focused on K–12, higher education, and non-traditional students; and

"(II) building awareness of and competency in cybersecurity in demand in the civilian Federal government workforce.

(c) EDUCATION, TRAINING, AND CAPACITY DEVELOPMENT.—Section 2202(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended—

"(1) by redesignating paragraph (11) as paragraph (12);

"(2) in paragraph (10), by striking ‘and’ at the end; and

"(3) by inserting after paragraph (10) the following:

"(11) provide education, training, and capacity development for Federal and non-Federal entities to enhance the security and resiliency of domestic and global cybersecurity and intelligence systems and infrastructure;

(d) ESTABLISHMENT OF TRAINING PROGRAMS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.), as amended by section 6614 of this Act, is further amended by adding at the end the following:

"SEC. 2217. CYBERSECURITY EDUCATION AND TRAINING PROGRAMS.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—The Cybersecurity Education and Training Assistance Program (referred to in this subsection as ‘CETAP’) is established within the Agency.

"(2) PURPOSE.—The purpose of CETAP shall be to support the effort of the Agency in building and strengthening a national cybersecurity workforce pipeline capacity through enabling K–12 cybersecurity education, including by—

"(A) providing foundational cybersecurity awareness and literacy;

"(B) encouraging cybersecurity career exploration; and

"(C) increasing the teaching of cybersecurity skills at the K–12 levels.

"(b) REQUIREMENTS.—In carrying out CETAP, the Director shall—

"(1) ensure that the program—

"(A) creates and disseminates K–12 cybersecurity-focused curricula and career awareness materials;

"(B) conducts professional development sessions for teachers;

"(C) develops resources for the teaching of K–12 cybersecurity-focused curricula;

"(D) conducts student engagement opportunities through camps and other programming;

"(E) engages with local and State education entities to promote awareness of the program and ensure that offerings align with State and local standards;

"(F) integrates with existing post-secondary education and workforce development programs at the Department;

"(G) establishes and maintains national standards for initial and continuing cybersecurity education;

"(H) partners with cybersecurity and education stakeholder groups to expand outreach; and

"(I) develop any other activity the Director determines necessary to meet the purpose described in subsection (a)(2); and

"(2) enable the deployment of CETAP national-level, technical, and capacity development programs at the Department.

"(c) BRIEFS.—

"(1) IN GENERAL.—Not later than 1 year after the establishment of CETAP, and annually thereafter, the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives on the program.

"(2) CONTENTS.—Each briefing conducted under paragraph (1) shall include—

"(A) estimated figures on the number of students reached and teachers engaged;

"(B) information on new curricula offerings and teacher training platforms; and

"(C) information on new curricula offerings and teacher training platforms.

"(d) TECHNICAL AND CONFORMING AMENDMENTS.—The term ‘demonstration project’ means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electricutility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

"(f) PURPOSE.—The purpose of this section is to direct the Secretary, as soon as practicable after the date of enactment of this section, to advance the research and development of domestic advanced, affordable, and clean nuclear energy by—

"(1) demonstrating different advanced nuclear reactor technologies that could be used by the private sector to produce—

"(A) emission-free power at a levelized cost of electricity of $60 per megawatt-hour or less;

"(B) heat for community heating, industrial purposes, or synthetic fuel production;

"(C) remote or off-grid energy supply; or

"(D) backup or mission-critical power supplies;

"(2) developing subgoals for nuclear energy research programs that would accomplish the goals of the demonstration projects carried out under subsections (a) and (b); and

"(3) identifying research areas that the private sector is unable or unwilling to undertake due to the cost of, or risks associated with, the research and development.

"(g) TECHNICAL AND CONFORMING AMENDMENTS.—The term ‘demonstration project’ means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electricutility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

SEC. 6651. REPORT ON ELECTROMAGNETIC PULSE HARDENING OF GROUND-BASED STRATEGIC DEFFERENT WEAPONS SYSTEM.

"(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the Committee on Homeland Security of the House of Representatives a report on establishing requirements and protocols to ensure that the ground-based strategic deterrent weapons system is hardened against electromagnetic pulses.

"(b) ELEMENTS.—The report required by subsection (a) shall include a description of the following:

"(1) The testing protocols the ground-based strategic deterrent program will use for electromagnetic pulse testing.

"(2) How requirements for electromagnetic pulse hardened will be integrated into the ground-based strategic deterrent program.

"(3) Plans for electromagnetic pulse verification tests of the ground-based strategic deterrent weapons system.

"(4) Plans for electromagnetic pulse testing of nonnuclear components of the ground-based strategic deterrent weapons system.

"(5) Plans for electromagnetic pulse qualification of the ground-based strategic deterrent weapons system.

TITLE LXXIV—NUCLEAR ENERGY

SEC. 6701. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

"(a) IN GENERAL.—Subtitle E of title IX of the Nuclear Energy Act of 2022 (12 U.S.C. 1621 et seq.) is amended by adding at the end the following:

"(1) NUCLEAR ENERGY INTEGRATION AND ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.—

"(A) DEFINITIONS.—In this section:

"(i) ADVANCED NUCLEAR REACTIONS.—The term ‘advanced nuclear reactor’ means—

"(G) a nuclear fission reaction, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations); and

"(B) a fusion reactor.

"(ii) DEMONSTRATION PROJECT.—The term ‘demonstration project’ means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electricutility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

"(I) nuclear fusion reaction.

"(ii) NUCLEAR ENERGY.—The term ‘nuclear energy’ includes—

"(B) heating; and

"(C) electricity; and

"(D) hydrogen.

"(ii) NUCLEAR REACTOR.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.

"(ii)類推力发电。

"(B) a nuclear fission reactor.

"(C) a nuclear fusion reactor.

"(ii) 核反应堆。

"(B) 核裂变反应堆。

"(C) 核聚变反应堆。

"(ii) NUCLEAR REACTOR.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.

"(ii) NUCLEAR REACTOR.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.

"(iii) NUCLEAR REACTOR.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.

"(ii) NUCLEAR REACTORS.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.

"(ii) NUCLEAR REACTORS.—The term ‘nuclear reactor’ means—

"(B) a nuclear fission reactor.
this section, including designs using various—  
(ii) primary coolants;  
(iii) fuel types and compositions; and  
(iv) reactor technologies;  
(B) seek to ensure that—  
(i) the long-term cost of electricity or heat for each design to be demonstrated under this subsection is cost-competitive in the applicable market;  
(ii) the selected projects can meet the deadline established in paragraph (1) to demonstrate cost-of-a-kind advanced nuclear reactor technologies, for which additional information shall be considered, including—  
(I) the technology readiness level of a proposed advanced nuclear reactor technology;  
(II) the technical abilities and qualifications of teams desiring to demonstrate a proposed advanced nuclear reactor technology; and  
(III) the capacity to meet cost-share requirements of the Department;  
(C) ensure that each evaluation of candidate technologies for the demonstration projects is completed through an external review of proposed designs, which review shall—  
(i) be conducted by a panel that includes no fewer than 1 representative of each of—  
(I) an electric utility; and  
(II) an entity that uses high-temperature process heat for manufacturing or industrial processing, including petrochemical companies, manufacturers of metals, or a manufacturer of concrete;  
(ii) include a review of cost-competitive- ness and other value streams, together with the technology readiness level, of each design to be demonstrated under this subsection; and  
(iii) not be required for a demonstration project that receives no financial assistance from the Department for construction costs;  
(D) for federally funded demonstration projects, enter into cost-sharing agreements with private sector partners in accordance with section 988 for the conduct of activities relating to the research, development, and demonstration of private-sector advanced nuclear reactor designs under the program;  
(E) work with private sector partners to identify Department-owned sites, including Department-owned sites, for demonstrations, as appropriate;  
(F) align specific activities carried out under this subsection with Demonstration projects carried out under this subsection with priorities identified through direct consultations between—  
(i) the Department;  
(ii) National Laboratories;  
(iii) institutions of higher education;  
(iv) traditional end-users (such as electric utilities);  
(v) potential end-users of new technologies (such as users of high-temperature process heat for manufacturing processing, including petrochemical companies, manufacturers of metals, or manufacturers of concrete); and  
(vi) developers of advanced nuclear reactor technology; and  
(G) seek to ensure that the demonstration projects carried out under paragraph (1) do not cause any delay in a deployment of an advanced reactor by private industry and the Department that is underway as of the date the Secretary shall—  
(I) identify candidate technologies that—  
(i) are not developed sufficiently for demonstration within the initial required timeframe described in paragraph (1)(B); but  
(ii) could be developed within the timeframe described in paragraph (1)(B);  
(II) support near-term research and development of technologies that are necessary to enable the successful demonstration of a selected advanced reactor technology, in accordance with—  
(i) the Department; and  
(ii) the research and development activities under sections 952 and 958;  
(D) establish such technology advisory working groups to advise the Secretary regarding the technical challenges identified under subparagraph (B) and the scope of research and development programs to address the challenges, in accordance with subparagraph (C), to be comprised of—  
(i) private-sector advanced nuclear reactor technology developers;  
(ii) technical experts with respect to the relevant technologies at institutions of higher education; and  
(iii) technical experts at the National Laboratories.  
(D) GOALS.—(1) IN GENERAL.—The Secretary shall establish goals relating to advanced nuclear reactors facilitated by the Department that support the objectives of the program for demonstration projects established under this subsection.  
(2) COORDINATION.—In developing the goals under paragraph (1), the Secretary shall coordinate, on an ongoing basis, with members of private industry to advance the demonstration of various designs of advanced nuclear reactors.  
(S) REQUIREMENTS.—In developing the goals under paragraph (1), the Secretary shall ensure that—  
(A) research activities facilitated by the Department to meet the goals developed under this subsection are focused on key areas of nuclear research and deployment ranging from basic science to full-design development, safety evaluation, and licensing;  
(B) research programs designed to meet the goals emphasize—  
(i) resolving materials challenges relating to extreme environments, including extremely high temperature;  
(ii) fuel irradiation performance;  
(iii) temperature; and  
(iv) corrosion; and  
(C) activities are carried out to address near-term challenges in modeling and simulation to enable accelerated design and licensing;  
(D) related technologies, such as technologies to manage, reduce, or reuse nuclear waste, are developed;  
(E) nuclear research infrastructure is maintained or constructed, such as—  
(i) current operational research reactors at the National Laboratories and institutions of higher education;  
(ii) hot cell research facilities;  
(iii) a versatile fast neutron source; and  
(iv) a molten salt testing facility;  
(F) basic knowledge of non-light water coolant physics and chemistry is improved;  
(G) advanced sensors and control systems are developed; and  
(H) advanced manufacturing and advanced construction techniques and materials are investigated to reduce the cost of advanced nuclear reactors.  
(1) in the item relating to section 917, by inserting “Sec.” before the item number; and  
(2) by inserting after the item relating to section 959 the following:  
“Sec. 959A. Advanced nuclear reactor research and development goals.”  
SEC. 6702. NUCLEAR ENERGY STRATEGIC PLAN.  
(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by section 670(a)) is amended by adding at the end the following:  
“Sec. 959A. Advanced nuclear reactor research and development goals.”  
SEC. 6703. VERSATILE, REACTOR-BASED FAST NEUTRON SOURCE.  
Section 955(c)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)(1)) is amended—  
(1) in the paragraph heading, by striking “MISSION NEED” and inserting “AUTHORIZATION”; and  
(2) in subparagraph (A), by striking “determine the mission need” and inserting “provide”.  
SEC. 6704. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.  
(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by section 670(a)) is amended by adding at the end the following:  
“Sec. 959A. Advanced nuclear fuel security program.”
(1) **HALEU TRANSPORTATION PACKAGE.**—The term ‘HALEU transportation package’ means a transportation package that is suitable for transporting high-assay, low-enriched uranium that is not needed for national security.

(2) **HIGH-ASSAY, LOW-ENRICHED URANIUM.**—The term ‘high-assay, low-enriched uranium’ means uranium with an assay greater than 5 weight percent, but less than 20 weight percent, of the uranium-235 isotope.

(3) **HIGH-ENRICHED URANIUM.**—The term ‘high-enriched uranium’ means uranium with an assay greater than 20 weight percent or more of the uranium-235 isotope.

(b) **HIGH-ASSAY, LOW-ENRICHED URANIUM PROGRAM FOR ADVANCED REACTORS.**—

(1) **ESTABLISHMENT.**—Not later than 1 year after enactment of this section, the Secretary shall establish a program to make available high-assay, low-enriched uranium, through contracts for sale, resale, transfer, or lease, for use in commercial or noncommercial advanced nuclear reactors.

(2) **NUCLEAR FUEL OWNERSHIP.**—Each lease under this subsection shall include a provision establishing that the high-assay, low-enriched uranium that is the subject of the lease shall remain the property of the Department, including with respect to responsibility for, and disposal of, all radioactive waste created by the irradiation, processing, or purification of any leased high-assay, low-enriched uranium.

(3) **QUANTITY.**—In carrying out the program under this subsection, the Secretary shall make available:

(A) by December 31, 2022, high-assay, low-enriched uranium containing not less than 2 metric tons of the uranium-235 isotope; and

(B) by December 31, 2025, high-assay, low-enriched uranium containing not less than 10 metric tons of the uranium-235 isotope (as determined including the quantities of the uranium-235 isotope made available before December 31, 2022).

(4) **FACTORS FOR CONSIDERATION.**—In carrying out the program under this subsection, the Secretary shall take into consideration:

(A) options for providing the high-assay, low-enriched uranium that is the subject of the lease under this subsection, in the form in exchange for services relating to the irradiation, processing, or purification of any leased high-assay, low-enriched uranium;

(B) the need for the Department to support noncommercial advanced nuclear reactors; and

(C) the ability of the commercial market to provide materials for advanced nuclear reactors.

(5) **HALEU TRANSPORTATION PACKAGE REQUIREMENTS.**—The Secretary shall establish the requirements for the transportation or use of high-assay, low-enriched uranium to meet the needs of an end-user, including with respect to transportation, transfer, and leasing of high-assay, low-enriched uranium (including guidelines defining the roles and responsibilities between the Department and the purchaser, transfer recipient, or lessee); and

(i) the potential to coordinate with purchasers, transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport;

(ii) the potential sources and fuel forms available to the Department for the program under subsection (b);

(iii) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

(A) the ability to integrate into electric grid operations; transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport;

(B) the potential sources and fuel forms available to the Department for the program under subsection (b);

(C) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport;

(iii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport;

(iv) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport; and

(v) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport.

(6) **USE OF FUNDS.**—The term ‘HALEU transportation package’ shall be used to provide financial assistance for the following:

(A) fuel fabrication facilities; and

(B) nuclear reactors.

(b) **CEREBRAL AMENDMENT.**—The table of contents at the beginning of this title in the United States Code, as amended by section 6702(b) of the Higher Education Act of 1965 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) is amended by inserting after the item relating to section 6709(a) the following:

‘Sec. 6705. Advanced nuclear fuel security program.’.

**SEC. 6705. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

Section 313 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (42 U.S.C. 1627aa) is amended as follows:

(1) **DEFINITIONS.**—In this section—

(A) **ADVANCED NUCLEAR REACTOR.**—A reactor advanced nuclear reactor, including with respect to research, development, and demonstration activities of the Department (including activities of the National Nuclear Security Administration),—

(i) the ability to integrate into electric grid operations; transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport;

(iii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport; and

(iv) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport; and

(v) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport.

(6) **USE OF FUNDS.**—The term ‘HALEU transportation package’ shall be used to provide financial assistance for the following:

(A) fuel fabrication facilities; and

(B) nuclear reactors.

(b) **CEREBRAL AMENDMENT.**—The table of contents at the beginning of this title in the United States Code, as amended by section 6702(b) of the Higher Education Act of 1965 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) is amended by inserting after the item relating to section 6709(a) the following:

‘Sec. 6705. Advanced nuclear fuel security program.’.

**SEC. 6705. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

Section 313 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (42 U.S.C. 1627aa) is amended as follows:

(1) **DEFINITIONS.**—In this section—

(A) **ADVANCED NUCLEAR REACTOR.**—A reactor advanced nuclear reactor, including with respect to research, development, and demonstration activities of the Department (including activities of the National Nuclear Security Administration),—

(i) the ability to integrate into electric grid operations; transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport;

(iii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding:

1. fuel fabrication; and
2. fuel transport; and

(iv) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport; and

(v) the costs and actions required to establish and carry out the program under subsection (b), including with respect to:

1. fuel fabrication; and
2. fuel transport.

(6) **USE OF FUNDS.**—The term ‘HALEU transportation package’ shall be used to provide financial assistance for the following:

(A) fuel fabrication facilities; and

(B) nuclear reactors.

(b) **CEREBRAL AMENDMENT.**—The table of contents at the beginning of this title in the United States Code, as amended by section 6702(b) of the Higher Education Act of 1965 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) is amended by inserting after the item relating to section 6709(a) the following:

‘Sec. 6705. Advanced nuclear fuel security program.’.
"(2) EXCEPTION.—Notwithstanding paragraph (1), amounts made available to carry out the Program may be used to provide financial assistance for a scholarship, fellowship, or internship, or to support projects that do not align directly with a programmatic mission of the applicable Federal agency providing the financial assistance, or to support activities for which assistance is provided would facilitate the maintenance of the discipline of nuclear science or engineering.

"(d) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out the Program for fiscal year 2021 and each fiscal year thereafter—

(1) $30,000,000 to the Secretary of Energy; and

(2) $15,000,000 to the Nuclear Regulatory Commission.

"SEC. 6766. ADJUSTING STRATEGIC PETROLEUM RESERVE MANDATED DRAWDOWNS.

(a) BIPARTISAN BUDGET ACT OF 2015.—Section 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241 note; Public Law 114-74) is amended—

(1) by striking paragraph (6); and

(2) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively.

(b) PRACTICAL APPLICATION.—Section 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241 note; Public Law 114-74) is further amended—

(1) by striking "2028" and inserting "2030.";

(2) in subparagraph (A), by striking "fluctuation" and inserting "fluctuations"; and

(3) in paragraph (4)(A), by striking "paragraphs (4) and (5), respectively", and inserting "paragraphs (5) and (6), respectively".

"SEC. 6776. MODIFICATION OF CONSTRUCTION OF GROUND-BASED STRATEGIC DETERRENCE LAUNCH FACILITIES AND LAUNCH CENTERS FOR THE AIR FORCE.

Subsection (e) of section 2802 is deemed to be read as follows—

"(e) FUNDING.—

"(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 as specified in the funding table in section 4601, the Secretary of the Air Force may expend not more than $15,000,000 for the purposes of planning and design to support the projects described in subsection (a).

"(2) INCREASE.—The amount authorized to be appropriated for fiscal year 2021 for military construction in the case of Air Force space programs shall be increased by $15,000,000, with the amount of the increase to be designated to Air Force, Unspecified Worldwide Locations, Planning and Design.

"(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Army is hereby reduced by $15,000,000, with the amount of the reduction to be derived from subactivity group 421, Servicewide Transportation.

"Subtitle B.—Military Family Housing

"SEC. 7821. DETERMINATION OF EXISTING PERFORMANCE METRICS AND AUTHORITY TO REVISE PERFORMANCE METRICS IN ANNUAL PUBLICATION ON USE OF INCENTIVE FEES FOR PRIVATIZED MILITARY HOUSING PROJECTS.

(a) IN GENERAL.—Section 2891c of title 10, United States Code, is amended—

(1) by striking "paragraph (2)" and inserting the following: "paragraphs (2) and (3), paragraph (1)(B)";

(2) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(3) by striking paragraph (9) and inserting the following: "paragraph (9)(B)";

(4) by redesigning paragraph (2) as paragraph (3); and

(5) by redesigning paragraph (3) as paragraph (4).

(b) PRACTICAL APPLICATION.—Section 2891c of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 113 Stat. 749) is amended—

(1) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(2) by redesigning paragraph (9) as paragraph (8); and

(3) by inserting the following new paragraph:

"(9) AMENDMENTS TO MEASUREMENT.—Paragraph (3) of section 2891c of title 10, United States Code, is amended—

"(A) IN GENERAL.—Section 2891c of title 10, United States Code, is further amended—

(i) by redesigning paragraph (9) as paragraph (10);

(ii) by redesigning paragraph (10) as paragraph (9); and

(iii) by inserting the following new paragraph:

"(10) MODIFICATION OF OBJECTIVES.—The Secretary of the Army shall by memorandum of understanding—

(I) modify the objectives established under subparagraph (A) to align the objectives with the goals of the Secretary of the Army;

(ii) remove the current objective of paragraph (3) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A); and

(iii) remove the current objective of paragraph (4) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A).

"SEC. 7822. ESTABLISHMENT OF INTERAGENCY ADVISORY COMMITTEE ON MINISTRY OF DEFENSE HOUSING PROJECTS.

(a) IN GENERAL.—Section 2891c of title 10, United States Code, is amended—

(1) by striking the section heading and inserting the following: "Tradewinds Program Ombudsman Program, and Designation of Ombudsmen";

(2) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(3) by striking paragraph (9) and inserting the following: "paragraph (9)(B)";

(4) by redesigning paragraph (2) as paragraph (3); and

(5) by redesigning paragraph (3) as paragraph (4).

(b) PRACTICAL APPLICATION.—Section 2891c of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 113 Stat. 749) is amended—

(1) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(2) by redesigning paragraph (9) as paragraph (8); and

(3) by inserting the following new paragraph:

"(9) MODIFICATION OF OBJECTIVES.—Paragraph (3) of section 2891c of title 10, United States Code, is further amended—

(I) by redesigning paragraph (9) as paragraph (10);

(ii) by redesigning paragraph (10) as paragraph (9); and

(iii) by inserting the following new paragraph:

"(10) MODIFICATION OF OBJECTIVES.—The Secretary of the Army shall by memorandum of understanding—

(I) modify the objectives established under subparagraph (A) to align the objectives with the goals of the Secretary of the Army;

(II) remove the current objective of paragraph (3) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A); and

(III) remove the current objective of paragraph (4) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A).

"SEC. 7823. ESTABLISHMENT OF INTERAGENCY ADVISORY COMMITTEE ON INTERAGENCY HOUSING PROJECTS.

(a) IN GENERAL.—Section 2891c of title 10, United States Code, is amended—

(1) by striking the section heading and inserting the following: "Tradewinds Program Ombudsman Program, and Designation of Ombudsmen";

(2) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(3) by striking paragraph (9) and inserting the following: "paragraph (9)(B)";

(4) by redesigning paragraph (2) as paragraph (3); and

(5) by redesigning paragraph (3) as paragraph (4).

(b) PRACTICAL APPLICATION.—Section 2891c of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 113 Stat. 749) is amended—

(1) by redesigning paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(2) by redesigning paragraph (9) as paragraph (8); and

(3) by inserting the following new paragraph:

"(9) MODIFICATION OF OBJECTIVES.—Paragraph (3) of section 2891c of title 10, United States Code, is amended—

(I) by redesigning paragraph (9) as paragraph (10);

(II) by redesigning paragraph (10) as paragraph (9); and

(III) by inserting the following new paragraph:

"(10) MODIFICATION OF OBJECTIVES.—The Secretary of the Army shall by memorandum of understanding—

(I) modify the objectives established under subparagraph (A) to align the objectives with the goals of the Secretary of the Army;

(II) remove the current objective of paragraph (3) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A); and

(III) remove the current objective of paragraph (4) to the extent that the goals of the Secretary of the Army are no longer consistent with the objectives established under subparagraph (A).
appropriate, a member of the executive committee if—

(i) the term of the member has expired;
(ii) the member has resigned; or
(iii) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

(G) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Navy and the Department of the Interior, respectively, to serve as liaisons to the executive committee.

(b) Joint Access and Use by Department of the Air Force and Department of the Interior of Nevada Test and Training Range and Desert National Wildlife Refuge.—

(1) UNITED STATES FISH AND WILDLIFE SERVICE AND DEPARTMENT OF THE AIR FORCE CO-ORDINATION.—Section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (Public Law 106-65; 113 Stat. 887) is amended by adding at the end the following new subparagraph:

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(2) the current lease allowed the Air Force to close their sports field on Seymour-Johnson Air Force Base by allowing the Bryan Multi-Sports Complex to be extended for up to 30 additional years with a total lease period not to exceed 50 years.
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(c) PAYMENTS UNDER THE LEASE.—The Secretary of the Air Force may waive the requirement under section 2697(b)(4) of title 10, United States Code, with respect to the lease entered into under this section if the Secretary determines that the lease enhances the quality of life of members of the Armed Forces.

(d) SENSE OF SENATE.—It is the Sense of the Senate regarding the conditions governing the extension of the current lease for the Bryan Multi-Sports Complex that—

(i) the Senate has determined it is in the best interest of the community for the Air Force to extend the lease at no cost;

(ii) the current lease allowed the Air Force to close their sports field on Seymour-Johnson Air Force Base and resulted in a savings of $15,000 per year in utilities and grounds maintenance costs;

(iii) the current sports complex reduces food protection vulnerabilities now that the sports complex is located outside the fence line of the installation; and

(iv) the facility has improved the quality of life for military families stationed at Seymour-Johnson Air Force Base by allowing members of the Armed Forces and their families to have access to world class sports facilities located adjacent to the installation and on-base privatized housing with easy access by junior enlisted members residing in the dorms.

SUBTITLE E—Other Matters

SEC. 7881. SENSE OF CONGRESS ON RELOCATION OF JOINT SPECTRUM CENTER.

It is the Sense of Congress that Congress strongly recommends that the Director of the Department of Defense begin the process for the relocation of the Joint Spectrum Center of the Department of
Defense to the building at Fort Meade that is allocated for such center.

TITLE LXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle F—Other Matters

SEC. 9110. EMERGENCY EXPANSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

Section 3112, as added by this section, shall have no force or effect.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2021

SEC. 9001. SHORT TITLE.

This division may be cited as the “Intelligence Authorization Act for Fiscal Year 2021”.

SEC. 9002. DEFINITIONS.

In this division:

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

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in section 3121 of title 11.

TITLE XCI—INTELLIGENCE ACTIVITIES

SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.


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

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.


(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.


SEC. 9102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 9101 for the conduct of the intelligence and intelligence-related activities of the elements listed in paragraphs (1) through (16) of section 9112, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the President.

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

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

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

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

(C) as otherwise required by law.

SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 9102(a).

TITLE XCII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 9201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $534,000,000 for fiscal year 2021.

TITLE XCIII—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 9301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall be made to the extent necessary to ensure that the conduct of any intelligence activities is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 9302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

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

SEC. 9303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

SEC. 9304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

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

SEC. 9305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL INTELLIGENCE.

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

“Director of the National Intelligence Office.”

SEC. 9306. NATIONAL INTELLIGENCE UNIVERSITY.

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

“Subtitle D—National Intelligence University

SEC. 1031. TRANSFER DATE.

In this subtitle, the term ‘transfer date’ means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the Director of National Intelligence under section 524(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SEC. 1032. DEGREE-GRANTING AUTHORITY.

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

(2) The Director.—A degree may not be conferred under this section unless—

(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Credentialing Performance Accountability for the Trusted Workforce 2.0 initiative sponsored by the Security Force, Suitability, and Credentialing Performance Accountability Council;

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

(3) the University meets the requirements.

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

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

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

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

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

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

SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

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

(b) Compensation of Faculty Members.—The compensation of persons employed under this section shall be as prescribed by the Director.

(c) Compensation Plan.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with such reduction in pay) or under the authority of this section.

SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same extent as the President of the National Defense University under section 216(e) of title 10, United States Code.

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

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

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

(1) in subsection (b)(1)(C), by striking “subsection (a)(1) of section 1032(b) of the National Security Act of 1947’’;

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

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

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

Subtitle D—National Intelligence University

Sec. 1031. Transfer date.

Sec. 1032. Designating authority.

Sec. 1033. Faculty members; employment and compensation.

Sec. 1034. Acceptance of faculty research grants.

Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors.

(d) Data Collection on Attrition in the Intelligence Community.

(a) Standards for Data Collection.—In general.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialties, and length of service.

(b) Collection of Data.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—

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

(2) an assessment of timeliness in processing hiring applications of individuals previously employed by an intelligence community, consistent with the requirements.

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

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

SEC. 1036. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

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

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

(a) Definitions.—In this section—

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

(2) Educational institution.—The term ‘‘educational institution’’ includes any public or private elementary school or secondary...
school, institution of higher education, college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States for personnel proficiency in mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States for personnel proficiency in mathematics.

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

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

‘(1) identify actions that the Director may take to improve education in the scientific, technological, engineering, and arts, and mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States for personnel proficiency in mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States.

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

‘(c) AUTHORITIES.—

‘(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States for personnel proficiency in mathematics (known as ‘STEAM’) skills necessary to meet the long-term national security needs of the United States.

‘(A) award grants to eligible entities;

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

‘(C) accept voluntary services from eligible entities;

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

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

‘(2) EDUCATION PARTNERSHIP AGREEMENTS.—

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

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

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

‘(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into such agreements with educational institutions that—

‘(i) historically serve a need for the workforce of the intelligence community; and

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

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

Subtitle B—Reports and Assessments


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

(b) REPORT REQUIRED.—

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

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

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

‘(C) has existed as a business for at least 3 years;

‘(D) provides testing of genetic markers for human traits, characteristics, or predispositions; and

‘(E) the Director considers appropriate;

‘(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to—

‘(A) the Director of National Intelligence, the Secretary of Defense, the Secretary of State, the Attorney General, and the heads of such other departments, agencies, and offices of the United States as the Director of National Intelligence considers appropriate;

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

‘(i) involving faculty and students of the educational institution in Agency projects, including research and technology transfer or transition projects;

‘(B) ORGANIZATIONS.—In making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution, the Director shall—

‘(i) Historically Black colleges and universities and other minority-serving institutions;

‘(ii) the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

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

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

‘(e) COOPERATION.—The heads of relevant agencies of the intelligence community and components of the Department shall—

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

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

SEC. 9322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on elements of the intelligence community that are exercising hiring flexibilities and expedited human resources practices that the Director considers to be affording benefits to the intelligence community in exercising the authorities described in such subsection.

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

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

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

‘(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into such agreements with educational institutions that—

‘(i) historically serve a need for the workforce of the intelligence community; and

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

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

Subtitle B—Reports and Assessments


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

(b) REPORT REQUIRED.—

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

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

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

‘(C) has existed as a business for at least 3 years;

‘(D) provides testing of genetic markers for human traits, characteristics, or predispositions; and

‘(E) the Director considers appropriate;

‘(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to—

‘(A) the Director of National Intelligence, the Secretary of Defense, the Secretary of State, the Attorney General, and the heads of such other departments, agencies, and offices of the United States as the Director of National Intelligence considers appropriate;

Sec. 9322. Report on signals intelligence priorities and requirements subject to the signals intelligence community.

‘(b) E lements.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

‘(c) F ORM.—The report submitted under subsection (a) shall include recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

‘(d) F ORM.—The report submitted under subsection (a) shall include recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

‘(e) COOPERATION.—The heads of relevant agencies of the intelligence community and components of the Department shall—

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

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

SEC. 9323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS SUBJECT TO THE SIGNALS INTELLIGENCE COMMUNITY.

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

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

‘(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements to the signals intelligence community.

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

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


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

Title III—Assessment of Department of Veteran Affairs Loan Repayment Program

SEC. 9324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

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

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

‘(2) calculate the number of personnel calculated under paragraph (1) to the number of personnel who apply for such a benefit;
provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a retention tool, including with respect to the amount of the benefit, the length of time an employee receives a benefit and the requirement to serve under a continuing service agreement; and

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

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE ENTERPRISE.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community, the Director for child care, and the Director for intelligence collection, analysis, and production that define the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

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

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

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA Repository.—Not later than 90 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, the Director of the Central Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, and the Director of the National Geospatial-Intelligence Agency, in coordination with the head of each element of the intelligence community, shall submit to the congressional intelligence committees a report that includes—

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

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

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

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

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

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

(2) to derive open source intelligence advantages.

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

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

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

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

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

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

SEC. 9326. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

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

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

(2) compile a report on the findings of the elements of the intelligence community under subsection (a).

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE ENTERPRISE.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, the Director of the Central Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, in coordination with the head of each element of the intelligence community, shall—

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

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

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

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA Repository.—Not later than 90 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, the Director of the Central Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, and the Director of the National Geospatial-Intelligence Agency, in coordination with the head of each element of the intelligence community, shall submit to the congressional intelligence committees a report that includes—

(1) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;
(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

SEC. 801B. RIGHT TO APPEAL.

(a) DEFINITIONS.—In this section:

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

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

(A) A member of the Armed Forces.

(B) A civilian.

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

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

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

(4) RECIPROCITY OF CLEARANCE.—The term ‘reciprocity of clearance’, with respect to a denial by an agency, means that the agency, with respect to a conformal security, established pursuant to section 801A, must sponsor an application by the covered person with a written—

(A) failed to accept a security clearance background investigation as required by paragraph (1) of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(d));

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

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

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

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

(b) AGENCY REVIEW.—

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

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

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

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

(I) notice of the right of the covered person to a hearing and appeal under this subsection,

(ii) notice of the right of the covered person to a hearing and appeal under this subsection,

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

(I) the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

(2) WAIVER OF RIGHTS.—

(A) PERSONS.—Any covered person may waive their right to appeal under this paragraph for access to classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

(B) ACCESS TO CLASSIFIED INFORMATION.—

(A) IN GENERAL.—Each head of an agency that establishes a panel under subparagraph (A) or overturned pursuant to clause (ii) of this subparagraph shall be final.

(B) ACCESS TO CLASSIFIED INFORMATION.—

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

(B) EXTENT OF ACCESS.—

(A) IN GENERAL.—Each head of an agency shall, consistent with the interests of national security, facilitate access to relevant classified materials to the extent consistent with the interests of national security.

(5) PUBLICATION OF DECISIONS.—

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

(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and minimize information overload, each head of an agency, to the extent consistent with the interests of national security.

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

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(d) Waiver of Availability of Procedures for National Security Interest.—

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

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

(3) TIME REQUIREMENTS.—

(A) CASE-BY-CASE.—

(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that a determination relating to a denial or revocation of eligibility for access to classified information or for access determination made under paragraph (2) during the previous fiscal year.

(ii) CONTENTS.—Each report submitted under clause (i) shall, not later than 30 days after the date on which the determination occurred, the agency head shall notify the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

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

(ii) ANNUAL REPORTS.—

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

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

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

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

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

(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive order.

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

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

(4) REPORTING.—

(A) CASExY-CASE.—

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

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

(b) Annual Reports.—

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

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

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

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

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

(g) Preservation of Roles and Responsibilities Under Executive Order 10865 and of the Defense Office of Hearings and Appeals.—Nothing in this section shall be construed to affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided for in Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6 and successor directive.

(h) Rule of Construction Relating to Certain Other Provisions of Law.—This section and the processes and procedures established under this section shall not be construed to diminish the authority of the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6 or successor directive.

(i) Rule of Construction Relating to Certain Other Provisions of Law.—This section and the processes and procedures established under this section shall not be construed to diminish the authority of the Intelligence Community to make decisions under the Intelligence Community Uniform Guidelines for the Protection of National Security Information (28 C.F.R. app. A), or any successor Federal policy.

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

“Sec. 801B. Right to appeal.”.


(a) Policy Required.—

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

(2) Consent Requirement.—

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

(2) Covered Derogatory Information.—

For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (40 C.P.R. 710 app. A), or any successor Federal policy; or

(ii) has been determined by a Federal Government agency to be accordable, or equivalent in content or significance to, the information covered by the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

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

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

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

(I) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of a contractor employee engaged with the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guidance it falls under, with the security of the Contractor’s Contractor decision, if appropriate, to share with the contractor employer exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

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

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

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

(5) specify the methods by which covered derogatory information is shared with the contractor employer of the contractor employee;
(b) allow the contractor employee, within a specified timeframe, the right—
(A) to contest the accuracy and reliability of covered derogatory information;
(B) to remedy any concerns raised by the covered derogatory information; and
(C) to provide documentation pertinent to subparts (A) and (B) to the appropriate committee of Congress for inclusion in relevant security clearance databases;
(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;
(8) stipulate that the chief security officer of the contractor in this report is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor in this report;
(9) require companies in the National Industrial Security Program to comply with the policy issued under subsection (a), and that the congressional intelligence committees a report on the threats described in subsection (a) as they pertain to the following:
(A) Threat posed to United States persons and persons inside the United States.
(B) Threat posed to United States personnel overseas.

SEC. 9501. REPORT ON ATTEMPTS BY FOREIGN GOVERNMENTS AND ENTITIES TO INFILTRATE PRIVATE TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE.
(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) of the Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.
(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each head of an agency described in subsection (c) shall submit to the appropriate committee of Congress a report on the recommendations included in the report issued by the Cyberspace Solarium Commission under section 1653(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 116–232).
(c) AGENCIES DESCRIBED.—The agencies described in this subsection are the following:
(1) The Office of the Director of National Intelligence.
(2) The Department of Homeland Security.
(3) The Department of Energy.
(4) The Department of State.
(5) The Department of Defense.
(d) CONTENTS.—Each report submitted under subsection (b) by the head of an agency described in subsection (c) shall include the following:
(1) An evaluation of the recommendations in part two submitted in subsection (b) that the agency identifies as pertaining directly to the agency.
(2) A description of the actions taken, or the actions that the head of the agency may consider taking, to implement any of the recommendations (including a comprehensive estimate of requirements for appropriations) to take the actions.

SEC. 9504. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.
(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a detailed assessment of technological trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.
(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:
(1) EXPORT CONTROLS.—
(A) IN GENERAL.—An assessment of efforts by the agencies to take such actions as they pertain to the following:
(i) The assessment under paragraph (A) shall also identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address technology transfer threats.
(ii) The assessment under paragraph (A) shall also include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.
(iii) The assessment under paragraph (A) shall also include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.
(B) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains.
(ii) The assessment under subparagraph (A) shall also include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.
(C) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under paragraph (A) shall also identify opportunities for diversification of United States supply chains.
(ii) The assessment under paragraph (A) shall also include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

SEC. 9505. REPORTS ON RECOMMENDATIONS OF THE CYBERSPACE SOLARIUM CONMISSION.
(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘approp- riate committees of Congress’ means—
(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, and the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate; and
(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representa-
SEC. 9526. COMBAT CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES.

(a) In general.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities described in paragraph (1). Any succeeding report under this subsection may consist of an update, or supplement to the preceding report under that subsection.

(b) In preparing the descriptions required by clauses (ii) and (iii) of such paragraph, the Director of the Central Intelligence Agency shall coordinate with the Office of Intelligence and Analysis of the Department of the Treasury.

SEC. 9505. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) Definitions.—In this section:

(1) the term “appropriate committees of Congress” means—

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

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

(2) the term “Chinese Communist Party’’ includes—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) Annual report required.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities described in paragraph (1). Any succeeding report under this subsection may consist of an update, or supplement to the preceding report under that subsection.

(c) Scope of report.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(d) Coordination.—In preparing each report, update, or supplement under this subsection, the Director of the Central Intelligence Agency shall coordinate with the Office of Intelligence and Analysis of the Department of the Treasury.

SEC. 9506. ANNUAL REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) Definition of appropriate committees of Congress.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Permanent Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(1) In general.—Each report under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European members who support the government of the Russian Federation, including members of the United States Senate and House of Representatives, and the European Parliament; and

(B) A description of corruption and corrupt activities associated with Western oligarchs who support the government of the Russian Federation, and the European Parliament.

(2) In general.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities described in paragraph (1). Any succeeding report under this subsection may consist of an update, or supplement to the preceding report under that subsection.

(b) Scope of report.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(c) Coordination.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(A) In preparing the description required by clause (i) of paragraph (2)(A), the Director of the Central Intelligence Agency shall coordinate with the Office of Intel-
of the Central Intelligence Agency shall co-
ordinate with the head of the Office of Intel-
ligence and Analysis of the Department of the
Treasury and the Director of the Federal Bureau
of Investigation.
(2) In preparing the description and assess-
ment required by subparagraph (E) of such
subsections, the Director of the Central Intel-
ligence Agency shall coordinate with the head of
the Office of Intelligence and Analysis of
the Department of the Treasury.
(e) FORM.—
(1) IN GENERAL.—Subject to paragraph (2),
each report under subsection (b) shall include
an unclassified executive summary, and may include a classified annex.
(2) FORM OF CERTAIN INFORMATION.—The information described in sub-
section (c)(1)(D) in each report under sub-
section (b) shall be submitted in unclassified form.

SEC. 9508. REPORT ON BIOSECURITY RISK AND DISINFORMATION BY THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—
(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and
(B) the Permanent Select Committee on Intelligence, the Committee on Armed Ser-
vices, the Committee on Energy and Com-
merce, the Committee on Foreign Affairs, and the Committee on Homeland Security of
the House of Representatives.
(2) BIOSECURITY INFRASTRUCTURE.—The term “critical infrastructure” has the meaning given such term in section 101(f) of the United States Code.
(b) REPORT REQUIRED.—Not later than 90
days after the date of the enactment of this
Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report identifying whether and how the Chinese Communist Party and the Government of the People’s Republic of China may have sought—
(1) to suppress information about—
(A) the outbreak of the novel coronavirus in Wuhan;
(B) the spread of the virus through China; and
(C) the transmission of the virus to other countries;
(2) to spread disinformation relating to the pandemic;
(3) to exploit the pandemic to advance their national security interests.
(c) ASSESSMENTS.—The report required by
subsection (b) shall include assessments re-
lated to—
(1) the origins of the novel coronavirus outbreak, the time and location of initial in-
fections, and the mode and speed of early viral spread;
(2) actions taken by the Government of
China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.
(3) the effect of disinformation or the fail-
ure of the Government of China to fully dis-
close information about the outbreak on response ef-
forts of local governments in China and
other countries.
(4) Diplomatic, political, economic, intel-
ligence, or other pressure on other countries
and international organizations to conceal
information about the spread of the novel
coronavirus pandemic and the response of the
Government of China to the contagion, as well as to influence or coerce early responses to
the pandemic by other countries.
(5) Efforts by the Government of China to deny access to health experts and
international health organizations to aff-
ected individuals in Wuhan, particular areas
of China, and the United States.
(6) Efforts by the Government of China, or
those acting at its direction or with its as-
sistance, to conduct cyber operations against
international, national, or private health org-
nizations involved in research relating to the
novel coronavirus or operating in re-
sponse to the pandemic.
(7) Efforts to control, restrict, or manipu-
late relevant supply chains, particularly in the
sale, trade, or provision of relevant medicines, medical sup-
plies, or medical equipment as a result of the pandemic.
(8) Efforts to advance the economic, intel-
ligence, national security, and political ob-
jectives of the Government of China by ex-
ploring vulnerabilities in foreign govern-
ments, economies, and companies under fi-
nancial duress as a result of the pandemic or
to accelerate international espionage and intel-
llectual property theft.
(9) Efforts to exploit the disruption of the
pharmaceutical and telecommunications in-
dustries as well as other industries tied to
materials and industries of critical infrastruc-
ture to critical infrastructure and bilateral trade
between China and the United States and be-
 tween China and allies and partners of the United
States in order to advance the eco-
nomics and political objectives of the Gov-
ernment of China following the pandemic.
(d) FORM.—The report required under sub-
section (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 9509. REPORT ON EFFECT OF LIFTING OF UNITED STATES ARMS EMBARGO ON ISLAMIC REPUBLIC OF IRAN.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—
(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Sen-
ate; and
(2) the Permanent Select Committee on In-
elligence, the Committee on Armed Ser-
vices, the Committee on Energy and Com-
merce, and the Committee on Foreign Affairs of
the House of Representatives.
(b) REPORT REQUIRED.—Not later than 90
days after the date of the enactment of this
Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assess-
(1) any relevant activities potentially re-
ating to nuclear weapons research and de-
velopment by the Islamic Republic of Iran;
and
(2) any relevant efforts to afford or deny
international access in accordance with international nonproliferation agreements, or
(3) likely technical changes in Iran’s nuclear
programs, including the potential effect on nuclear nonproliferation agreements.
(c) ASSESSMENTS.—The report required by
subsection (b) shall include assessments for
the period beginning on January 1, 2018, and through the date of the submittal of the
report, of the following:
(1) Activities to research, develop, or enrich
uranium or reprocess plutonium with the intent or capability of creating weapon-
grade nuclear material.
(2) Research, development, testing, or
design activities that could contribute to or in-
furtherance of construction of a device intended to initiate or capable of initiating a nuclear ex-
losion.
(3) Efforts to receive, transmit, store, de-
sstroy, relocate, archive, or otherwise pre-
serve research, processes, products, or en-
abling materials relevant or relating to any
efforts assessed under paragraph (1) or (2).
(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activi-
ties described in paragraphs (1), (2), or (3).
(d) FORM.—The report required under sub-
section (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 9511. SENSE OF CONGRESS ON THIRD OP-
TION FOUNDATION.

It is the sense of the Congress that—
(1) the work of the Third Option Foundation to help, heal, and honor members of the special operations community of the Central
Intelligence Agency and their families is invaluable; and

The PRESIDING OFFICER. The Senator from Kansas.

MEASURE READ THE FIRST TIME—S. 4461

Mr. MORAN. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 4461) to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

Mr. MORAN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

CALLING FOR A FREE, FAIR, AND TRANSPARENT PRESIDENTIAL ELECTION IN BELARUS

Mr. MORAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. Res. 658 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 658) calling for a free, fair, and transparent presidential election in Belarus taking place on August 9, 2020, including the unimpeded participation of all presidential candidates.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. MORAN. Mr. President, I ask unanimous consent that the resolution be agreed to: that the preamble be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, AUGUST 6, 2020

Mr. MORAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, August 6; further, that following the prayer and pledge, the morning hour be deemed expired, the journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of Calendar No. 645. I further ask that notwithstanding the provisions of rule XXII, the cloture motion with respect to Calendar No. 645 ripen at 11:30 a.m. tomorrow; finally, if cloture is invoked, the postcloture time expire at 1:30 p.m. and, if confirmed, the motion to reconsider be considered made, laid upon the table, and the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MORAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:49 p.m., adjourned until Thursday, August 6, 2020, at 9:30 a.m.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, August 6, 2020 may be found in the Daily Digest of today’s RECORD.
Chamber Action

Routine Proceedings, pages S4883–S5228

Measures Introduced: Twenty-four bills and one resolution were introduced, as follows: S. 4438–4461, and S. Res. 667. Page S4940

Measures Passed:

Commander John Scott Hannon Veterans Mental Health Care Improvement Act: Senate passed S. 785, to improve mental health care provided by the Department of Veterans Affairs, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto:

Moran/Tester Amendment No. 2594, in the nature of a substitute. Pages S4921–35

Presidential Election in Belarus: Committee on Foreign Relations was discharged from further consideration of S. Res. 658, calling for a free, fair, and transparent presidential election in Belarus taking place on August 9, 2020, including the unimpeded participation of all presidential candidates, and the resolution was then agreed to. Page S5228

Cronan Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Thursday, August 6, 2020, Senate resume consideration of the nomination of John Peter Cronan, of New York, to be United States District Judge for the Southern District of New York; that notwithstanding the provisions of Rule XXII, the motion to invoke cloture on the nomination ripen at 11:30 a.m., on Thursday, August 6, 2020; and that if cloture is invoked, the post-cloture time on the nomination expire at 1:30 p.m. Page S5228

Measures Placed on the Calendar: Page S4939

Measures Read the First Time:

Executive Reports of Committees: Pages S4939–40

Additional Cosponsors: Page S4940–42

Statements on Introduced Bills/Resolutions:

Pages S4942–45

Additional Statements:

Pages S4938–39

Amendments Submitted:

Pages S4945–S5328

Adjournment: Senate convened at 10 a.m. and adjourned at 7:49 p.m., until 9:30 a.m. on Thursday, August 6, 2020. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5228.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported nominations of Hester Maria Peirce, of Ohio, and Caroline A. Crenshaw, of the District of Columbia, both to be a Member of the Securities and Exchange Commission, and Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board.

FTC OVERSIGHT


CYBERSECURITY FOR THE ENERGY SECTOR


NOMINATIONS
Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jennifer Yue Barber, of Kentucky, to be the Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations, Keith W. Dayton, of Washington, to be Ambassador to Ukraine, Julie D. Fisher, of Tennessee, to be Ambassador to the Republic of Belarus, and Alex Nelson Wong, of New Jersey, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, who was introduced by Senators Cotton and Romney, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS
Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Erik Paul Bethel, of Florida, to be Ambassador to the Republic of Panama, Jonathan Pratt, of California, to be Ambassador to the Republic of Djibouti, Barbara Hale Thornhill, of California, to be Ambassador to the Republic of Singapore, Thomas Laszlo Vajda, of Arizona, to be Ambassador to the Union of Burma, and Kenneth R. Weinstein, of the District of Columbia, to be Ambassador to Japan, who was introduced by former Senator Joe Lieberman, all of the Department of State, after the nominees testified and answered questions in their own behalf.

CROSSFIRE HURRICANE INVESTIGATION
Committee on the Judiciary: Committee concluded an oversight hearing to examine the Crossfire Hurricane investigation, after receiving testimony from Sally Quillian Yates, former Deputy Attorney General of the United States, Atlanta, Georgia.

BUSINESS MEETING
Committee on Veterans’ Affairs: Committee ordered favorably reported the following business items:

S. 514, to amend title 38, United States Code, to improve the due process accorded veterans with respect to recovery of amounts owed by veterans to the United States, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the benefits and services provided by the Department of Veterans Affairs, to include members of the reserve components of the Armed Forces, and to authorize the Secretary of Veterans Affairs to provide treatment via telemedicine;

S. 2950, to amend title 38, United States Code, to improve the processing of veterans benefits by the Department of Veterans Affairs, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the due process accorded veterans with respect to recovery of amounts owed by veterans to the United States, to improve the benefits and services provided by the Department of Veterans Affairs, to include members of the reserve components of the Armed Forces, and to authorize the Secretary of Veterans Affairs to provide treatment via telemedicine;
Department of Veterans Affairs to women veterans, with an amendment in the nature of a substitute;

S. 629, to require the Secretary of Veterans Affairs to review the processes and requirements of the Department of Veterans Affairs for scheduling appointments for health care and conducting consultations under the laws administered by the Secretary, with an amendment in the nature of a substitute;

S. 2216, to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, with an amendment in the nature of a substitute; and

S. 3235, to direct the Secretary of Veterans Affairs to conduct a pilot program on posttraumatic growth, with an amendment in the nature of a substitute.

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**House of Representatives**

**Chamber Action**

The House was not in session today. The House is scheduled to meet at 10 a.m. on Friday, August 7, 2020.

**Committee Meetings**

**THE DEVASTATING HEALTH IMPACTS OF CLIMATE CHANGE**

*Committee on Oversight and Reform: Full Committee* held a hearing entitled “The Devastating Health Impacts of Climate Change”. Testimony was heard from public witnesses.

**Joint Meetings**

No joint committee meetings were held.

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**NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST, p. D659)


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**COMMITTEE MEETINGS FOR THURSDAY, AUGUST 6, 2020**

(Committee meetings are open unless otherwise indicated)

**Senate**

*Committee on Armed Services* to hold hearings to examine the nominations of Jason Abend, of Virginia, to be Inspector General, Bradley D. Hansell, of Virginia, to be a Deputy Under Secretary, Lucas N. Polakowski, of Virginia, and Louis W. Bremer, of Connecticut, both to be an Assistant Secretary, all of the Department of Defense, 9 a.m., SD–G50.

*Committee on Commerce, Science, and Transportation* to hold hearings to examine pending nominations, 10 a.m., SR–253.

*Committee on Foreign Relations* to hold hearings to examine the nominations of William A. Douglass, of Florida, to be Ambassador to the Commonwealth of The Bahamas, Melanie Harris Higgins, of Georgia, to be Ambassador to the Republic of Burundi, Jeanne Marie Maloney, of Virginia, to be Ambassador to the Kingdom of Eswatini, Michael A. McCarthy, of Virginia, to be Ambassador to the Republic of Liberia, Manisha Singh, of Florida, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, and James Broward Story, of South Carolina, to be Ambassador to the Bolivarian Republic of Venezuela, all of the Department of State, and other pending nominations, 10:30 a.m., VTC.

*Committee on Homeland Security and Governmental Affairs* to hold an oversight hearing to examine Department of Homeland Security personnel deployments to recent protests, 10 a.m., SD–342.

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**House**

*Committee on Oversight and Reform, Select Subcommittee on the Coronavirus Crisis*, hearing entitled “Challenges to Safely Reopening K–12 Schools”, 2 p.m., Webex.
Next Meeting of the SENATE
9:30 a.m., Thursday, August 6

Senate Chamber

**Program for Thursday:** Senate will resume consideration of the nomination of John Peter Cronan, of New York, to be United States District Judge for the Southern District of New York, and vote on the motion to invoke cloture thereon at 11:30 a.m. If cloture is invoked, Senate will vote on confirmation of the nomination at 1:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Friday, August 7

House Chamber

**Program for Friday:** House will meet in Pro Forma session at 10 a.m.